

**Fourth Session - Thirty-Ninth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**DEBATES**  
**and**  
**PROCEEDINGS**

**Official Report**  
**(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Ninth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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ASHTON, Steve, Hon.	Thompson	N.D.P.
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WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, April 22, 2010

## ROUTINE PROCEEDINGS

## INTRODUCTION OF BILLS

**Bill 26—The Addictions Foundation  
Amendment Act**

**Hon. Jim Rondeau (Minister of Healthy Living, Youth and Seniors):** Mr. Speaker, I move, seconded by the Minister of Housing and Community Development (Ms. Irvin-Ross), that Bill 26, The Addictions Foundation Amendment Act, now be read a first time.

*Motion presented.*

**Mr. Rondeau:** This bill modernizes The Addictions Foundation Act, brings it up to current standards, clarifies roles, and actually takes away the sexism that was in the act and moves it forward to gender-neutral.

**Mr. Speaker:** Is it the pleasure of the House to adopt the motion? *[Agreed]*

**Bill 302—The Southwood Golf and Country Club  
Incorporation Amendment Act**

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, I move, that Bill 302, The Southwood Golf and Country Club Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation le « Southwood Golf and Country Club », be now read a first time.

**Mr. Speaker:** Honourable member for St. Norbert, do you have a seconder for your motion?

**Ms. Brick:** I do, the honourable member for Kirkfield Park (Ms. Blady).

**Mr. Speaker:** It's been moved by the honourable member for St. Norbert, seconded by the honourable member for Kirkfield Park, that Bill 302, The Southwood Golf and Country Club Incorporation Amendment Act, be now read a first time.

**Ms. Brick:** Mr. Speaker, the intention of this bill is to update the language related to Southwood Golf and Country Club and the shareholding procedures for those people who are part of Southwood Golf and Country Club. Thank you.

**Mr. Speaker:** Is it the pleasure of the House to adopt the motion? *[Agreed]*

## PETITIONS

**Ophthalmology Services—Swan River**

**Mrs. Myrna Driedger (Charleswood):** I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The Swan Valley region has a high population of seniors and a very high incidence of diabetes. Every year, hundreds of patients from the Swan Valley region must travel to distant communities for cataract surgery and additional pre-operative and post-operative appointments.

These patients, many of whom are sent as far away as Saskatchewan, need to travel with an escort who must take time off work to drive the patient to his or her appointments without any compensation. Patients who cannot endure this expense and hardship are unable to have the necessary treatment.

The community has located an ophthalmologist who would like to practise in Swan River. The local Lions Club has provided funds for the necessary equipment, and the Swan River Valley hospital has space to accommodate this service.

The Minister of Health has told the Town of Swan River that it has insufficient infrastructure and patient volumes to support a cataract surgery program; however, residents of the region strongly disagree.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Health to consider rethinking her refusal to allow an ophthalmologist to practise in Swan River and to consider working with the community to provide this service without further delay.

And this is signed by W. Oberlin, A. Oberlin, E. Parachoniak and many, many others, Mr. Speaker.

**Mr. Speaker:** In accordance with our rule 132(6), when petitions are read they are deemed to be received by the House.

### **Manitoba Liquor Control Commission— Liquor Licences**

**Mr. Rick Borotsik (Brandon West):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for the petition:

The Manitoba Liquor Control Commission has substantially raised the cost of annual liquor licences for restaurants, cocktail lounges and other Manitoba businesses.

The MLCC justifies this increase by stating that the full cost of an annual licence is being increased to better reflect rising administration costs.

For some small business owners, the cost of an annual liquor licence has more than doubled. These fee hikes are a significant burden for business owners.

The decision to increase the annual licence fee, while at the same time eliminating the 2 percent supplementary licence fee payable on the purchase of spirits, wine and coolers, has the effect of greatly disadvantaging smaller businesses. Small businesses which do not purchase liquor from MLCC in large volumes will not receive the same benefit from the elimination of this supplementary fee. Instead, they are facing substantially increased costs simply to keep their doors open.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister responsible for the administration of The Liquor Control Act to consider working with MLCC to find alternate means of addressing rising administrative costs.

And to request the Minister responsible for the administration of The Liquor Control Act to consider working with MLCC to revise the decision to implement a significant annual licence fee increase.

And to urge the Minister responsible for the administration of The Liquor Control Act to consider ensuring that the unique challenges faced by small businesses are better taken into account in the future.

This petition is signed by P. Tubman, P. Dougall and B. Ward and many, many other fine Manitobans.

#### **Medical Clinic in Weston and Brooklands Area**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

Walk-in medical clinics provide a valuable health-care service.

The closure of the Westbrook Medical Clinic has left both Weston and Brooklands without a community-based medical clinic.

We petition the Legislative Assembly as follows:

To urge the provincial government to consider how important it is to have a medical clinic located in the Weston and Brooklands area.

Mr. Speaker, this is signed by G. Carlson, E. Wiebe and G. Spence and many, many other fine Manitobans. Thank you.

### **TABLING OF REPORTS**

**Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade):** Mr. Speaker, I'm pleased to table the Supplementary Information for Legislative Review for Manitoba Entrepreneurship, Training and Trade, 2010-2011 Departmental Expenditure Estimates.

#### **Introduction of Guests**

**Mr. Speaker:** Prior to oral questions I'd like to draw the attention of honourable members to the public gallery where we have with us from the Winnipeg Mennonite Elementary School Agassiz, 19 grade 4 students under the direction of Mr. Wes Krahn. This school is located in the constituency of the honourable Minister for Housing and Community Development.

On behalf of all honourable members I welcome you here today.

### **ORAL QUESTIONS**

#### **Probation Breaches Government Policy Review**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Mr. Speaker, we've now learned that the offender who took the life of Tony Lanzellotti had violated probation 24 times over the seven-week period between the time of his sentencing and the time of the very tragic death of—and needless death of Mr. Lanzellotti.

We have been very disappointed to see the response of the government to date blaming the federal government, attacking the opposition this morning on CBC, on the part of the Justice Minister,

and completely failing to take any responsibility for what clearly was an avoidable tragedy.

And I want to ask the Premier today if he would set aside the political attacks on other levels of government, set aside the political attacks on the opposition and, for once, given his 11 years in control of the Province and a massive and tragic failure that took place within his government, will he today begin the process of dealing in a responsible way with this issue, apologize to the Lanzellotti family and their friends, unequivocally, without passing blame and accept responsibility for his government's failure?

\* (13:40)

**Hon. Greg Selinger (Premier):** Mr. Speaker, this tragedy was one that all of us deeply regret happening to any member of our community, and we, obviously, do not want these kinds of things to occur in the future, which is exactly why we have worked to ensure that there are better processes in place to allocate resources to high-risk offenders that are at the greatest threat to public security and safety. And that is why the measures that we have discussed in the past have been put forward.

Since 2008, when this incident has occurred, auto thefts in Winnipeg have decreased 38 percent and attempted auto thefts have decreased 60 percent. Clearly, that is not enough in this situation, and so additional work has to be done which is why the Minister of Justice (Mr. Swan) has called together the chief of police, the RCMP, the head of probation and the head of prosecutions to come together and examine ways to further strengthen enforcement in these kinds of situations.

**Mr. McFadyen:** The response of the Justice Minister this morning on CBC to questions about what action needs taking was that he has asked his—he said, and I quote: What I've asked my officials to do is to make sure that Manitoba's system is in compliance with what other provinces are doing. I've asked my justice officials to do that, and they are now on that road to see exactly what other provinces are doing.

Mr. Speaker, they've known about this situation for more than a year and only this morning is he announcing that his response is to ask his officials to canvass other provinces.

Firstly, Mr. Speaker, who cares what's happening in other provinces? Secondly, why such a weak response? Thirdly, how can they stand here

today with these unconvincing claims of caring about this situation when their response is to begin the process now of canvassing other provinces? It's unacceptable. It's weak. It's late. It's unconvincing. And how can Manitobans have any confidence in their administration of our justice system when these are the weak, irrelevant and out-of-touch responses we get from his minister?

**Mr. Selinger:** Mr. Speaker, it is clearly unacceptable that these kinds of incidents occur in our community, which is why the auto-theft strategy, the suppression strategy, was put in place in 2004, which is why, subsequent to this specific incident, another—a better and improved system of high-risk management was put in place so that the worst offenders were not able to perpetrate these kinds of activities, which is why there have been additional measures taken which have resulted in reduced auto thefts since 2008 of 38 percent, and which is why today the minister has followed up with the chief of police, with the RCMP, with probations and with prosecutions to build on things that have shown to be effective and identify further measures that can be taken to ensure public safety and security in this province.

**Mr. McFadyen:** Mr. Speaker, the fact that this is only happening today when they've known about these circumstances for more than a year, suggests that the only thing this NDP government cares about is media management.

Now that it's in the media, he's decided today to check on what other provinces are doing. He's decided today to have a meeting of relevant players. They've known for more than a year about the circumstance of this case.

In Estimates yesterday, the Premier admitted that there were other similar cases to this. And I want to ask the Premier that if they're serious about getting to this issue, why not release the information about how many offenders there are on the streets of Winnipeg today who are in breach of their court orders in similar circumstances to these?

Why are they continuing the pattern of cover up which he employed on Crocus, which he employed on Hydro, now which he's employing in the justice system? Why not make the numbers available so that Manitobans can at least begin to take one step toward gaining some level of trust in this incompetent government and its culture of cover up?

**Mr. Selinger:** Mr. Speaker, two years ago additional measures were put in place which have resulted in a

38 percent reduction in auto theft and a 60 percent reduction of attempted auto thefts. Less than a year—within the last year, additional measures have been put in place to have high-risk management of those worst offenders that put the public safety and security at risk. And this approach was one that officials and the government supported because it allows us to put resources where they are needed most, with the high-risk individuals.

So it's not a question of starting today or yesterday. It's a question of building on an auto theft suppression strategy which has reduced auto thefts in this province by 75 percent, 38 percent since this incident. It's a question of building on better methods based on validated research and validated effectiveness that shows that high-risk offenders can be better managed to protect public safety and security. It's also to say that we should never stop trying to do more, which is why the minister is bringing together the chief of police, the RCMP, probations—

**Mr. Speaker:** Order.

#### **Probation Breaches Government Policy Review**

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, 24 times the young offender who killed a Winnipeg cab driver in 2008 breached his court orders, 24 times he sent a warning to this NDP justice system that he wasn't interested in obeying the law, 24 times this warning was ignored.

Yesterday, the Minister of Justice did all that he could to defend his government's weak approach when it comes to crime and to defend the offender. He was given this—he said that youth who were given two, three, four different chances to reoffend and to breach their orders, well, that was okay because Manitobans were okay with that.

We don't believe that Manitobans are okay with that. Mr. Lanzellotti never got a second chance, let alone 24 chances like this offender did.

When will he start standing up for the victims and stop standing up for the criminals?

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I don't know if the member for Steinbach was listening to the responses in the first set of questions given by the Premier.

Manitoba Probation Service is always looking to improve the job that they do to manage offenders in the community and also preserve public safety, and

in this case—in this situation, we've continued to make improvements. And as we discussed at Estimates yesterday, as the Premier indicated today, in the past year the probation services division has brought in a new methodology to make sure that we're allocating more resources to those offenders whose conduct, whose past criminal history and whose other factors demand more attention.

That is what we're doing, but we're going to continue to do more. We're going to listen to what other provinces are doing. We're also going to listen to stakeholders, who are very important voices as we continue to move forward, Mr. Speaker. Thank you.

**Mr. Goertzen:** Listen to victims. Listen to Manitobans, Mr. Minister. This response is weak and is out of touch with what Manitobans expect from a Minister of Justice.

This minister on radio this morning said that in response to this offender breaching 24 court orders that he's asked his officials to examine Manitoba's system to see if it's in compliance with what other provinces are doing. Well, the problem is right in front of his face, Mr. Speaker.

I want to ask him very clearly today: Has he sent a directive? Has he sent out a policy, right now, today, that in Manitoba every time a high-risk offender has breached a court order that it must be reported to police? Has he done that today, Mr. Speaker?

**Mr. Swan:** If the member had been listening, he would have heard that I've spoken with Chief McCaskill of the Winnipeg Police Service. I've spoken with Assistant Commissioner Robinson of RCMP D Division. They will be sitting down with probation services as well as prosecution services to see if there are other improvements that can be made.

I'm very surprised, given that I know the member opposite took constitutional law in school, I would be very surprised to know why he doesn't understand why it would be important to listen to what other provinces are doing and the measures that are taken. We speak all the time with other provinces.

The member needs to be aware that the dispositions that are given to young offenders by judges in Manitoba are under the Youth Criminal Justice Act. We're also working with the federal government. Frankly, we're pleased they are taking steps to open up the act. We will speak on behalf of Manitobans to continue to do—to improve that act.

**Mr. Goertzen:** This minister is weak, foolish and he's out of touch with what Manitobans are saying, Mr. Speaker.

This offender breached court orders 24 times. He was already recognized as a high-risk offender, and now the minister is saying that he's going to abdicate his constitutional responsibility and look around to other provinces to see what they might be doing.

It's very clear. All he has to do—and I want to know if he's done it today, if he's done his job today, if he's made a very clear directive—a clear, direct policy that every time a high-risk offender breaches a court order that it must be reported to police.

Yes or no? Has he done his job today, Mr. Speaker?

\* (13:50)

**Mr. Swan:** Well, Mr. Speaker, what I can tell the members opposite is that we have indeed moved to deal with the most difficult offenders and violent offenders in our community.

It's interesting, of course, the member opposite voted against all of the resources that have been put into the Winnipeg Auto Theft Suppression Strategy. That is a risk management strategy at pointing out the very worst offenders. Probation services work closer with the police, they work with Crown attorneys and, unfortunately, the member opposite and his colleagues voted against the resources for that program which has reduced auto theft by 75 percent since 2004. Auto theft is now at its lowest rate in Manitoba since 1992.

There is more work to be done. There are more improvements to be made, but we'll deal with risk management and improving our systems rather than a knee-jerk reaction, which is what the member for Steinbach is trying to get.

#### **Waverley West Geothermal Heating Unit Installation**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Well, Mr. Speaker, the—as we've seen over the last two days, this is a government that is very good at saying one thing but not delivering real action or real results in a whole variety of areas. Manitobans already know that they are a complete fraud when it comes to public safety.

Mr. Speaker, today, on Earth Day, we also know that they are a complete fraud when it comes to protecting the planet. A few—a number of years ago,

this government went out and made a big announcement, in developing Waverley West, that they were going to go about putting in place geothermal units in 12,000 homes in that development. Well, today, 400 new homes have been built and there are geothermal units that have been put into not 12,000, but two homes so far in Waverley West. So they fell 11,998 homes short on that promise.

And Mr. Sale, the former minister responsible for this project, went on CBC and he said, and I quote: Well, I think the promise we made was really clear. No natural gas service is to be installed. I think there is some substandard reasons for why it didn't happen.

I want to ask the former Hydro minister: Why didn't he follow through as Hydro minister on the promises earlier made by his government with respect to the environment, Mr. Speaker?

**Hon. Greg Selinger (Premier):** Mr. Speaker, Manitoba has 25 percent of all the geothermal installations in Canada, with about 3.8 percent of the population. Manitoba is the geothermal leader in Canada, and likely North America, for the proportion of installations and homes, institutions and commercial operations which use geothermal as a source of heating.

The member is correct. There have been only 400 homes built to date in Waverley West, so certainly there is lots of scope to improve geothermal installations over the 11,600 homes remaining to be built, and Hydro and the developers and the government will work to see to see how that can be further done.

However, it should be noted that the most important thing to do in the construction of any new home is to minimize the energy required, which is why the Power Smart 2000 program and further improvements will be made to the building code to minimize, as much as possible, the use of energy in new home construction.

**Mr. McFadyen:** Mr. Speaker, as Mr. Sale said, they promised geothermal heat for 100 percent of the homes in the new development. So far, it's gone into one-half of 1 percent of the homes that have been built so far in the development.

Mr. Speaker, they are completely unconvincing on everything that they talk about. It doesn't matter whether it's financial numbers, public safety, the environment, and today on Earth Day they didn't

even have a ministerial statement to address this issue as they have in past years.

But I want to ask the Premier, more importantly, since the numbers from Stats Canada show that greenhouse gases are going up in Manitoba while the Stephen Harper Conservatives have brought them down across Canada, Mr. Speaker, I wanted him to just address the hypocrisy of the fact that their record is getting worse and worse with time. Other governments are making progress on this issue, and the reason given by Mr. Sale on CBC was—and he said, and I quote: Well, I think the major reason, frankly, is a policy of Manitoba Hydro.

I want to ask the Premier, the former Hydro minister: Does he agree with Mr. Sale that it was his failure that resulted in this broken promise?

**Mr. Selinger:** Mr. Speaker, Manitoba's greenhouse gas emissions are 3 percent of the total in this country, when our population is 3.8 percent. We have a strong record of reducing greenhouse gas emissions.

Mr. Speaker, 25 percent of all the installations in Canada occur in Manitoba. We have brought in the first biodiesel mandate in the country; legislation is in front of this Legislature right now which will strengthen that program. We brought in the first ethanol mandate in the country. We have moved on wind power just as recently as a few weeks ago, which members have opposed. We have brought in special programs to reduce the consumption of water. We are going to strengthen further the building code to have less greenhouse gas emissions.

And Manitoba Hydro has a very low-cost program for credit facilities for those people that want to install geothermal in Manitoba, which makes it one of the more accessible programs of geothermal installation in the country. And it is the envy of many other places in Canada and North America. Manitoba Hydro was No. 10 on efficiency under the members opposite; it is No. 1 under this government for efficiency.

**Mr. McFadyen:** Mr. Speaker, every day in this House we hear all kinds of rhetoric like that. There's no connection between any of it and what's actually happening outside of this building. I think maybe the Minister of Advanced Education (Ms. McGifford) had it right when she referred to this as a mad hatter's tea party, the responses we get in this place which are in no way connected.

I mean the reality is that greenhouse gas emissions are going up in Manitoba. They are making decisions based on e-mails that they get from Cape Cod, driven by the coal industry in the United States. They're going to make them go up even further in the future. They're failing on their promises at Waverley West. They're keeping coal plants open in Minnesota and Wisconsin. They're wasting clean hydro-electric power with their decisions, all because every time they get e-mails from special interest groups, they panic.

I want to ask him whether he will today apologize for the big promises that were made and for the failure to deliver on every environmental issue that they've ever put forward. Will he apologize today, and in the future when he gets e-mails from unreasonable American interest groups, will he hit the delete button instead of hitting the panic button?

**Mr. Selinger:** Mr. Speaker, I thank the member for the question because it allows me to, once again, underline the value of protecting the boreal forest on the east side. The boreal forest is considered to be, according to some reports that are out there, it says, it ensures the survival of one of the best natural defences against global warming. The members opposite want to rip it up. They want to destroy the boreal forest. This government wants to protect the boreal forest.

The members opposite are in denial. They are in denial that we have 25 percent of the geothermal installations. They have opposed the biodiesel mandate that we brought into Manitoba. They have been critical of the ethanol mandate we brought into Manitoba. And we have done a number of sustainable practices in terms of housing and community development projects, all of which they have voted again in the past.

Our record on greenhouse gas emission reduction and on climate change has been recognized with awards around the world. Only the members opposite fail to accept the facts in this regard.

#### **Greenhouse Gas Emissions Reduction Targets**

**Mr. Larry Maguire (Arthur-Virden):** Well, Mr. Speaker, it's his government that's already bulldozed down 600 extra kilometres of trees on the east side of Lake Winnipeg to make winter roads. So here's another example of no accountability.

Today is Earth Day, a time to recognize the importance of protecting our environment and yet



this NDP government has so badly mismanaged environmental issues that they're negatively impacting our surroundings for future generations of Manitobans. Environment Canada's recently released National Inventory Report reveals that Manitoba was only one of only four provinces, Mr. Speaker, that has seen greenhouse gas emission levels rise. Nationally, there was a 2.1 percent decrease.

Why has the Minister of Conservation so badly failed in meeting his government's emission reduction targets?

**Hon. Bill Blaikie (Minister of Conservation):** Well, Mr. Speaker, this sounds an awful lot like the question that was asked on Monday, but the emissions haven't changed since then. We admitted then that we were concerned about the fact that our emissions were up, and that left us with a challenge to meet the goals that we set for ourselves in Manitobans.

But we continue to do the kinds of things that will ultimately bring down our greenhouse gas emissions. We've done an awful lot. If you could see a graph between what the emissions are today and what they would have been had we not had the kind of policies that this green NDP government put in place, you'd see a big difference.

**Mr. Maguire:** Nice try, Mr. Speaker, but he didn't fool Manitobans with that one. His answer provides no solace to those working so diligently to protect the environment for future generations. And I want to remind the minister that The Climate Change and Emissions Reduction Act, passed by his own government, stated, and I quote: "The initial emissions reduction target for Manitoba is to reduce Manitoba's emissions by December 31st, 2012 to an amount that is at least 6 percent less than Manitoba's total 1990 emissions." End quote. Yet, today, Manitoba's emissions levels are nearly 25 percent above that target.

\* (14:00)

Mr. Speaker, why does the Minister of Conservation continue to fail on our environment? And how does he propose to get back on the track, and where is the plan?

**Mr. Blaikie:** Well, Mr. Speaker, this government has had a plan, and we've done a lot of things up till now. We've got other things that have happened since that data was recorded. We've got other things that are—we're going to be rolling out over the next immediate

future to deal with the problem that we've got with respect to the rising emissions.

But the honourable member knows why—in some ways, why the emissions have gone up. It's because Manitoba is growing. It's because of immigration. It's because of a whole lot of things that the honourable member would presumably welcome.

But I can tell you, Mr. Speaker, I'm not going to be lectured in this House or any other venue by a person from a party, whose party, here and elsewhere, repeatedly rejected the Kyoto Accord, rejected the science with respect to climate change. These are the people—we wouldn't have had any goals to fall short of if it was their way.

**Mr. Maguire:** Well, while he had his head in the sand in Ottawa, Mr. Speaker, he should look back on the record in the '90s of this government on this side of the House. It was much more pristine than what's happened today.

Mr. Speaker, the former premier had the courage—his former premier had the courage of his convictions when it came to his government's greenhouse gas emissions targets. In fact, Mr. Doer boldly told the *Winnipeg Sun* in April of 2008, and I quote: "If we don't achieve it, I suggest the ultimate penalty in 2011 will be defeating the government. I believe the public will hold us accountable." End quote.

Mr. Speaker, I assume the Minister of Conservation shares the former premier's convictions. Can he now explain his plan to keep Manitoba from falling even further behind the rest of Canada when it comes to reducing greenhouse gas emissions?

**Mr. Blaikie:** Mr. Speaker, the day will come when Manitobans will get a chance to choose between a government that has tried and succeeded in many ways, and fallen short and admitted to falling short, and choosing between that government and that party and a party that never would have set any goals in the first place, that rejected climate change, that opposed the Kyoto Accord, that have been absolute dinosaurs when it comes to climate change since the first day it was brought up.

#### **Dauphin Lake Fishery Enforcement of Closure**

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, on April the 12th, in this House, the Minister of Water Stewardship said, in reference to the Dauphin Lake

walleye fishery, and I quote: "Last year, we initiated the closure and we enforced that closure during the spring spawn around Lake Dauphin." End quote.

Mr. Speaker, why is the minister not enforcing the closure she announced last week?

**Hon. Christine Melnick (Minister of Water Stewardship):** Mr. Speaker, since 1999 we have taken many steps around—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order.

**Ms. Melnick:** Thank you, Mr. Speaker. We have many—we have taken many steps around the conservation of the fishery on Dauphin Lake, including reductions in commercial harvest, reductions in the daily limits for recreational anglers and a ban on catching spawning-sized walleye.

We announced the second closure during the spring spawn on April the 14th. We've been very pleased with the response. We've been very pleased with the respect of the closure. We understand that we—we understand this has been traditionally a very important time for the people of the First Nations, and I want to thank the people yesterday who came out to the ceremony and respected the closure this year, Mr. Speaker.

**Mr. Briese:** Mr. Speaker, the Dauphin Lake walleye fishery is being placed in jeopardy by this minister refusing to enforce her own closure.

The minister refers to some 50 consultation meetings on this issue. The minister says the government relied on science to invoke the closure. The minister said in her Estimates that, quote: Science told us we had to be a little more protective this year. End quote.

Mr. Speaker, I ask again: Why is the minister refusing to enforce the closure she invoked just last week?

**Ms. Melnick:** Mr. Speaker, in 1999 the opposition announced a closure and walked away from it. During that year, some 6,000 pounds of spawning fish were caught. This year, there is considerably less amount of fish caught, we think somewhere around the 600-pound. That's one-tenth of what was caught during their closure.

We know that it's important to enforce. That's why, even during 1999, while there were absolutely no enforcements made, there were no warnings and no tickets given. This year we have laid two charges

and issued 25 warnings. We are, indeed, enforcing the closure, Mr. Speaker, and, again, I want to thank the First Nations people for respecting the close during the spawn, and I look forward to working with all those communities in the future as we further protect our *[inaudible]*

**Mr. Briese:** Mr. Speaker, today is Earth Day, a day to remind us of our responsibility to protect the resources of our province and, indeed, the world.

On April the 13th, the minister issued a news release invoking a temporary closure on walleye fishing to protect the fishery on Lake Dauphin. Yesterday there were fishers all along the Turtle River in Ste. Rose.

Mr. Speaker, will the minister commit today to enforcing the closure she put in place just last week, or was this minister, once again, simply paying lip-service to the issue with no intention of enforcing our own closure?

**Ms. Melnick:** Well, again, Mr. Speaker, we have invoked, for the second year, a closure during the spring spawn on Dauphin Lake. There is enforcement going on. There is working with the First Nations and the Métis communities. We have also provided frozen fish which I know members opposite are against.

But I want to quote the *Winnipeg Free Press*, that said: that this measure has kept most Aboriginal people from fishing those rivers during the week to two-week spawning season.

We have invoked the closure. We are enforcing the closure. We are providing frozen fish so that individuals will not be left without during this time, and I want to thank the Aboriginal people who are respecting the closure even during the ceremony yesterday afternoon.

#### **Rosburn Health Facility Diagnostic Services Reductions**

**Mr. Leonard Derkach (Russell):** The community of Rosburn has felt another blow to its health services in that community, Mr. Speaker. First, their emergency services were cut by this government, and, now, diagnostic services are being discontinued from five days a week to only a day and a half per week.

Mr. Speaker, these services are important especially to seniors who can't travel long distances. When I checked with the health authority region, I

was told that, indeed, there's a retirement but that retirement position will not be filled.

I'd like to ask the Minister of Health why this position will not be filled and why those services are going to be cut in the community of Rosssburn.

**Hon. Theresa Oswald (Minister of Health):** I thank the member for the question. We know that recruitment and retention of professionals to rural Manitoba can be more challenging in some places. Certainly we are experiencing, in some areas, shortages of diagnostic personnel.

We're working to train more of those, but at the specific time, the regional health authority, who, of course, is in charge of planning for human resources and availability of diagnostics, has made a decision. Certainly they are going to continue to work to review this decision to try to bring as many services closer to home wherever possible.

It isn't always possible, Mr. Speaker. I concede that point. We have made very good strides in a number of areas. This was an area that was a particular challenge, and they are going to continue to review the overall diagnostic opportunities, with a view to human resources, in the region specifically.

**Mr. Derkach:** Well, Mr. Speaker, the community of Rosssburn also serves a large Aboriginal community next door to it. Those individuals have used the diagnostic services in Rosssburn fairly extensively, but what was disconcerting was the fact that the recruitment policy had changed for the Rosssburn facility and that, indeed, no professional would be sought at this time after the retirement.

I want to ask the minister whether she's prepared to perhaps send a directive that would change the direction that the health region is going and allow the Rosssburn community—or the health facility to hire this professional so that services can be offered not only to Rosssburn but, indeed, to the Aboriginal community next door.

\*(14:10)

**Ms. Oswald:** Again, we work very frequently with our regional health authorities on the issue of strengthening health human resources and doing overall planning for diagnostics, for primary care, for acute care. And, again, there are challenges in bringing professionals to communities and to regions, and they have to have the best possible plan that they can to ensure that diagnostics are available across different areas.

We know that we have seen a net increase of nurses and of doctors, but we have to continue to work with our pathologists, with our lab techs and others to build that workforce. Again, we're going to work with the regional health authority to provide the best plan for all citizens of the region so that they can have access in the best possible way with the human resources complement that they have available to them now, Mr. Speaker.

**Mr. Derkach:** Well, Mr. Speaker, the minister's comments are perhaps acceptable in a general sense, but we're talking about a specific community here who have been told that the technician will not be—the professional will not be rehired once the retirement occurs.

Mr. Speaker, this service is going from five days a week to one and a half days per week. That's a tremendous cutback, and I don't know how the minister can stand here and make general statements when, indeed, the communities of Rosssburn and the Aboriginal community of Waywayseecappo will be impacted very significantly and very directly.

So I'm asking the minister whether or not this matter can be reviewed again and whether she would consider giving a directive to the regional health authority to ensure that those services are at least maintained to a 50 percent or a 75 percent level rather than almost being cut totally?

**Ms. Oswald:** Again, Mr. Speaker, the short answer would be yes. I'm very prepared to continue this conversation with the regional health authority about availability of professionals with a view to the best possible way of sharing this expertise, sharing expert—the technology and equipment, making sure that people can have the best access possible.

We know that our commitment to bringing diagnostics to rural Manitoba is very clear and robust. We're going to continue to do that. This particular area was a challenge. In the region, generally, the—that has more health facilities, on average, than other regional health authorities. This did represent the challenge, but we will continue to work with them with the view to the best possible services and arrangement of professionals and technology that are available in the region.

#### **Conservation Department Budget Reductions**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, around the globe today millions and millions of people are recognizing and celebrating Earth Day.

It's a day when people get involved in community events to raise awareness about the environment and what we can do to protect our fragile ecosystems.

Mr. Speaker, Manitobans are standing up and saying that the environment is really important, so I'd like to ask the Premier to tell Manitobans why his government has chosen to cut the budget for the Department of Conservation. Doesn't he realize that a healthy environment is essential to a healthy province?

**Hon. Greg Selinger (Premier):** Mr. Speaker, the initiatives we're taking for climate change and to protect the earth are—go across a variety of departments.

For example, we have the first ever Water Stewardship Department in the province of Manitoba. The Department of Conservation is proceeding with a two-million tree-planting program this year as part of our long-term commitment to continue to have healthy forests in Manitoba.

The Department of Housing and Community Development is working in neighbourhoods to redevelop housing and to reduce energy consumption there. We have brought in the biodiesel mandate which I've mentioned earlier.

And we have—in addition, Mr. Speaker, we're continuing to build Manitoba Hydro in the north so that we can provide clean energy to our customers to the south of us. And just a few weeks ago we announced a wind project in St. Joseph, Manitoba, which will reduce greenhouse gas emissions by 350,000 tonnes, the equivalent of over 70,000 automobiles.

There are many initiatives all across this province of which the Province is supporting and participating in to protect Mother Earth.

**Mr. Gerrard:** Mr. Speaker, you know, it sounds as if the Premier really believes that he is doing a good job of environmental stewardship. I think he's got some green-coloured glasses on today.

Take—many examples can show that he's doing a poor job. I mean, take, for example, the Grass River Provincial Park. The minister—Premier's allowing a logging road right through the centre of this park claiming a logging road isn't really logging activity. Take Waverley West, the Premier has not only broken, he's slashed his promise, his commitment to have a geothermal subdivision.

Look, I ask the Premier: How—with all this going on, with all the broken promises, why does he consider this good environmental stewardship?

**Mr. Selinger:** I'm glad the member raised the issue of logging in parks. This is the government that removed logging from all but one park in Manitoba. And in the park where that logging occurs—in the park where—in that park where that logging occurs, there are conservation practices in place that ensure for every log taken out, there's one planted to replace it, so it's a sustainable forest practice industry there.

This province has been very assertive on protecting the forest, which is why—need—should I mention this again?—we're protecting the boreal forest on the east side of Lake Winnipeg, which is why we're seeking UNESCO designation for that boreal forest on the east side of Lake Winnipeg. Members opposite say that they support the earth, but they don't want to do anything to protect the boreal forest. It's really hypocritical in the extreme, Mr. Speaker.

**Mr. Gerrard:** Mr. Speaker, the Premier is all talk and no action when it comes to the environment. His latest budget proves it.

When push comes to shove in the government, the environment was the first budget to get cut. Instead of reducing his Cabinet, he cut environmental funding. He cut 5 percent for conservation programs, 3 percent for regional conservation operations, 8 percent for minor capital projects in conservation, more than a million dollars for sustainable development education and 3 million less for environmental stewardship. And they've allowed our greenhouse gas emissions to rise by 34 percent.

I ask the Premier why he is clear-cutting when it comes to the environment.

**Mr. Selinger:** Mr. Speaker, we're the government that put an environmental education component into the education formula so that all young people in our public schools can have access to opportunities to learn about the environment, can do projects on it, can implement projects on it. That was never done before in the province until we brought that policy in.

We're the government that has brought in the ability to control spreading of manure in Manitoba to protect the water resources. We're the government that is moving on protecting Lake Winnipeg. And, Mr. Speaker, we are the government that's protecting

the boreal forest. And all of these measures are adding up to a program which shows that we care about the environment. We can show measurable results for that.

And it is true, from time to time, there has been a 1 percent increase in greenhouse gas emissions, but in the last decade, our growth in greenhouse gas emissions has been flat, when it's been going up everywhere else in the country.

#### **Environmental Initiatives Government Support**

**Mr. Drew Caldwell (Brandon East):** Mr. Speaker, today is indeed Earth Day and the Manitoba government is mindful of our ongoing responsibility to thoughtfully nurture our world with respect, integrity and purpose.

Mr. Speaker, I know members opposite don't think it's important, but we on this side of the House do. That's why I'm so proud of our government's UNESCO World Heritage Site vision for the boreal forest on the east side, and that's why I'm proud to be of a government that is undertaking the most—the boldest environmental initiative perhaps in North America.

Mr. Speaker, on Earth Day and every day, our government works with integrity in all Manitoba communities. Could the Minister of Conservation please advise the Legislature of any green initiatives recently announced in my home community of Brandon to further celebrate Earth Day?

**Hon. Bill Blaikie (Minister of Conservation):** It's nice to get a question about the environment from someone who actually cares about the environment, from somebody who isn't part of a party that's fought every measure to protect the environment here in Manitoba year after year, Legislature after Legislature, parliament after parliament.

But today, Mr. Speaker, what we announced in Brandon is a \$50-million grant to help the City of Brandon proceed with an 18-month pilot project for the curb-side pickup of composting—\$50 million—\$50,000, I wish it was 50 million. That's a lot of compost.

But—so we've done that and today, Mr. Speaker, we also announced that we're going to proceed with the planting of 2 million trees this year, all part of our efforts to fight climate change, something I know the people on the other side don't believe in. But we

do believe the climate is changing and we're doing something about it.

**Mr. Speaker:** —oral questions has expired.

#### **MEMBERS' STATEMENTS**

##### **Earth Day**

**Mr. Matt Wiebe (Concordia):** Mr. Speaker, as members know, today is Earth Day. More than six million people across our country will join an estimated one billion people worldwide in staging events to promote environmental awareness.

Celebrated in the United States since 1970 and internationally since 1990, Earth Day has proven to be an effective educational tool as well as a catalyst for substantive political action on environmental issues.

Here in Manitoba, a community clean-up is set to take place in Norway House. In Winnipeg, Lavallee School is in the midst of a week-long recycling challenge. Today, the Habitat for Humanity ReStore is holding its fifth annual Earth Day sale, and this evening, at St. Mary's Road United Church, Earth Day Festival 2010 will take place with speakers, displays and children's activities.

Mr. Speaker, the number of activities here and across Canada is both impressive and fitting. Both this province and the country of which it is a part are endowed with a blessing of land and natural resources of unparalleled expanse and richness. With this blessing comes a special responsibility to be relentless and imaginative stewards towards the land.

Mr. Speaker, I am proud that our government takes the environment and its attendant issues seriously. The commitment towards the establishment of the Pimachiowin Aki World Heritage Site on Lake Winnipeg's east side is an acknowledgement of the centrality of our environment to us as a community. The Pimachiowin Aki project is a bold step forward and one which will once again leave behind the cynics who strive unsuccessfully, time and again, to drag down major projects that ultimately prove to enliven our province and strengthen our communities.

In closing, let me thank the volunteers who have pitched in to host local Earth Day events. You are helping to foster awareness about an issue around which the stakes could possibly not be higher.

Thank you, Mr. Speaker.

**Mr. Larry Maguire (Arthur-Virden):** Well, Mr. Speaker, I was going to thank the Minister of Conservation (Mr. Blaikie) and environment for his ministerial statement on the importance of the Earth Day today, but he didn't give one. And so that's how important, or lack of importance there is in this government in regards to the environment in Manitoba.

So today I want to say, on behalf of all Canadians and over a billion people worldwide that—to encourage them to celebrate the 40th anniversary of Earth Day.

Mr. Speaker, Earth Day was evolved greatly since its humble beginnings as an education and awareness day on American university campuses in the 1970s. Today Earth Day is a global and advocacy event celebrated in over 170 countries. Earth Day aims not only to foster awareness around climate and environmental issues, but also to convince people to adopt greener, more environmentally friendly practices in their lives.

But yet this government, this NDP government, has just revealed to Environment Canada—as just revealed by Environment Canada, has broken their own promise to decrease greenhouse gas emissions as they put into law just a few years ago. While Canada has an average—on average decreased its greenhouse gas emissions by 2.1 percent; this government has increased theirs by nearly 1 percent, one of only four provinces in Canada to increase, I might add, Mr. Speaker, breaking their own legislation.

This government also forced Hydro to waste \$640 million to build an unenvironmentally Bipole III hydro line down the west side of the province. This government is forcing Winnipeg taxpayers to pay \$350 million to remove nitrates from waste water that the scientists have told them that they don't need to do, Mr. Speaker.

And, Mr. Speaker, the Premier (Mr. Selinger) just said that he knows what hypocrisy is, yet he cut—just finished cutting 600 kilometres of trees to make winter roads for—get this—safety and, quote, environmental protection on the east side. Well, you can't have it both ways. Even the former NDP premier knows that the public will throw this government out if they don't meet their legislated mandate that they set out for themselves just two years ago.

But there is hope, Mr. Speaker. Manitobans—as Manitobans, there are countless simple and easy changes that can be adopted to our part—to do our part in preserving our environment for the future generations. We can use water more efficiently, conserve energy, increase recycling, choose more efficient transportation and make greener shopping choices. These are but a sample of the actions that we can and should adopt to ensure a greener future for our planet.

I invite all Manitobans to take part in an Earth Day event in their communities. These could include events such as the fifth annual Earth Day sale at the Habitat for Humanity Winnipeg ReStore and the Earth Day Festival 2010 at the St. Mary's Road United Church.

Mr. Speaker, I encourage all Manitobans to take part in Earth Day and to do their part to help the environment. I further encourage all Manitobans to make every day Earth Day and find ways to incorporate greener, more environmentally sustainable practices in their everyday lives. Thank you.

#### **Manitoba Volunteer Week**

**Ms. Bonnie Korzeniowski (St. James):** I rise today to recognize one of the most important resources in any community, our volunteers. During Manitoba's Volunteer Week, it is important that we take some time to honour those who devote their precious time to the service of others.

The young and old alike volunteer at all capacities. They help fundraise for the less fortunate and the sick, assist in construction and rehabilitation of homes, and mentor others. Manitoba volunteers have been instrumental in lending a helping hand with floods and forest fires in our province. Many take up volunteer postings overseas to help deliver medicine, supplies and front-line services to others. The kindness and dedication of our volunteers are truly inspiring, setting a worthy example for all of us to follow.

I hold a special place in my heart for those volunteers who devote themselves to a community service in their later years. My own mother, Myrtle Anderson who is 91, continues helping newcomers to her seniors' home, undaunted by her age or physical condition. I always admire elderly people like her who still have the energy and the wherewithal to contribute to society.

Two sisters, Elsie Low and Janet Stimpson have been volunteering with the Deer Lodge Centre Auxiliary in my constituency for almost a quarter of a century now. These two incredible women are in charge of Second Debut, a second-hand clothing and household items sale held every two weeks in the centre. And while it may be impolite to speak of a lady's age, I think it should be mentioned that Elsie is 93 and Janet is 86, which has not stopped them from spending hours helping visitors and patients find that extra special item at a bargain price. I was even able to find a few treasures in their sales while working in Deer Lodge almost 10 years ago.

Mr. Speaker, Volunteer Week is our opportunity to reflect on the actions of volunteers and to consider dedicating more of our time to benefit others. I encourage all Manitobans to thank the volunteers they know for their selfless devotion this week and to volunteer for a worthy cause themselves. Thank you.

#### **Women's Institute of Manitoba 100th Anniversary**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, I rise today to mark a truly special anniversary. This year, the Women's Institute of Manitoba celebrates its 100th anniversary. The Women's Institute began in Morris in 1910 as an advocate for the recognition of women's capabilities. Since then, Women's Institute has evolved into a first-class advocacy and educational organization.

Inspired by the motto "For Home and Country" the Women's Institute dedicates itself to personal development, family, agriculture, rural development and community action. The institute organizes a number of events throughout the year not only to celebrate achievements but also to raise awareness. Provincially, the institute operates as an umbrella organization with six regional boards and it is also associated with the national Federated Women's Institute of Canada and the international Association of Country Women of the World.

From May 13th to the 15th, the Women's Institute will celebrate its 100th anniversary at a southern Manitoba convention centre in Morris. As part of its centennial celebrations, the institute will be hosting the Honourable Flora MacDonald, Canada's first female Minister of Foreign Affairs as a keynote speaker.

In addition to advocacy, the institute runs a number of other initiatives. It runs a number of

educational programs, mentoring programs, and regional and provincial conventions.

Mr. Speaker, on behalf of all members of this Assembly, I would like to extend a heartfelt congratulations to the Women's Institute for achieving this landmark anniversary. I would also like to thank Justina Hop, the institutes president and everyone else involved with the institute for their dedication and contribution to their community. Thank you.

#### **Olive Lillie**

**Hon. Peter Bjornson (Minister of Entrepreneurship, Training and Trade):** Healthy and vibrant communities are the result of citizens' commitment to one another.

Each year, the Selkirk and District Chamber of Commerce honours a chosen Citizen of the Year and I would like to speak today about this year's recipient, Olive Lillie. I cannot think of a more deserving individual for this award.

Olive grew up near Selkirk and began to contribute to her community at an early age. She was a fixture at her local church, assisting with various activities and was such a welcome presence that she eventually became an educator of young minds as the Sunday school teacher. A young girl while war was raging in Europe, Olive would also accompany her mother to the Selkirk Legion to knit clothing items for soldiers.

She later became a lifetime member of the Legion Ladies Auxiliary, the Selkirk Friendship Centre and the St. Peter's Old Stone Church in East Selkirk, where she was instrumental in helping to restore the church in 2003.

\*(14:30)

Olive saw a need in her community and lent her time and energy to serve through volunteering at the Selkirk Soup Kitchen for several years. As a strong First Nations woman, Olive also invested herself in keeping her rich heritage alive through serving on the Manitoba Métis Federation and Rupert's Land Wechetowin committees. Currently, she is also acting as the chair of the Chief Peguis Heritage Park committee.

Among her highest achievements, Olive lovingly raised 11 children and foster kids and is now a grandmother to 28 grandchildren.

Mr. Speaker, it gives me great pleasure to recognize her today because it is individuals such as Olive that make communities out of neighbourhoods and instil in all of us the belief that it is truly better to give than receive.

Thank you for all of your contributions, Olive, and congratulations on your award. You certainly have earned it.

Thank you, Mr. Speaker.

### MATTER OF URGENT PUBLIC IMPORTANCE

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, I would move, seconded by the member from River Heights, that under rule 36(1), the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely, the urgent need for the government to reconsider its commitment to spend \$126 million tax dollars for four water bombers at a time when Manitoba's experiencing record-high annual deficits.

**Mr. Speaker:** Order, please.

It's been moved by the honourable member for Inkster, seconded by the honourable member for River Heights (Mr. Gerrard), that under rule 36(1), the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely, the urgent need for the government to reconsider its commitment to spend \$126 million tax dollars for four water bombers at a time when Manitoba is experience record-high annual deficits.

Before recognizing the honourable member for Inkster, I believe I should remind all members that under rule 36(2), the mover of a motion on a matter of urgent public importance and one member from the other parties in the House is allowed not more than 10 minutes to explain the urgency of debating the matter immediately.

As stated in *Beauchesne's* citation 390, urgency in this context means the urgency of immediate debate, not of the subject matter of the motion. In their remarks, members should focus exclusively on whether or not there is urgency of debate and whether or not the ordinary opportunities for debate will enable the House to consider the matter early enough to ensure that the public interest will not suffer.

**Mr. Lamoureux:** Mr. Speaker, I do believe that the government needs to be held to account for the decision that it has made, believing, ultimately, that

it is a poor decision. And, there is excessive amounts of waste of government tax dollars, of public tax dollars, and I think this is a good example of waste from the government.

Mr. Speaker, the government is proposing to put together or to purchase four water bombers at a cost of in excess of \$126 million. And, when I asked the question yesterday of the Premier (Mr. Selinger), the Premier made it very clear, and I quote from yesterday's *Hansard*: "It's a part of our stimulus program."

Well, Mr. Speaker, that would be very questionable, at best, in terms of the number of jobs that would be created by the—acquiring those particular aircrafts. I would suggest to you, if anything, Manitoba will lose jobs because of that particular purchase.

As the Premier in his answer to the question, he talked about the quality maintenance and the amount of maintenance work that is done. That maintenance work, in most part, is done here in the province of Manitoba. Those planes are not built in the province of Manitoba.

So, Mr. Speaker, one would question in terms of how it is he believes the purchasing of these four aircraft is going to help stimulate or provide more economic activity in the province of Manitoba.

But having said that, Mr. Speaker, I want to go to the province of Newfoundland-Labrador and in Newfoundland and Labrador, it is—it's stated in a news article back in 2009 that—*[interjection]*

I would ask for members to pay attention here, so we will understand why their decision is a very poor one.

Economic turbulence has prompted the Newfoundland and Labrador government to ground its plans to buy new water bombers, struggling manufacturer Bombardier. In fact, Mr. Speaker, it goes on, and this is what the minister had to say: We could just rebuild the motors and the aircraft is fine to operate for many years into the future.

Let's go to western Canada. The government of Saskatchewan has recently—the government has recently purchased some retrofit kits for their older Bombardier water bombers. So there is still, Mr. Speaker, I would suggest to you, alternatives that the government could have looked at.

I'm familiar with aircrafts. For a number of years I served in the Canadian Forces. I'm familiar with



one of the greatest planes that the Canadian military had—was the DC-3. And the DC-3 was one of those planes that many pilots that have flown the Hercules aircraft would tell you, was one of the best aircrafts ever built. And I suspect that there might even be some of those DC-3s flying around today.

Mr. Speaker, I would suggest to you that, just because a plane is 30 years old, does not necessarily mean that it has to be trash—or 40 years old. You have governments in Newfoundland-Labrador—you have governments in Saskatchewan, that have recognized that fact. They're not saying that their planes have to be replaced. They're, in fact, investing money in those planes so that they'll be able to use them even longer.

If this government was serious about addressing the issues that are facing this province, to be spending 126 or committing 126 million tax dollars at this point, given the very nature of the social problems we have, given the very nature of the size of the deficit, the annual deficit that we're creating, which happens to be a record high, this is not a good decision for a government to be purchasing these aircraft at this time.

And for ministers, like the member from Thompson, to say shame from his seat is, as I would suggest to the member from Thompson, he is doing a disservice. He would be better off to spend some time—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Let's get a little control here. Order. When members are up, they should be debating the urgency—why we need to deal with it this moment—why it can't wait until tomorrow or whatever. That's the debate. I wouldn't get into a debate with other members. I would try and convince the Speaker the urgency of dealing with it at this moment.

**Mr. Lamoureux:** Yes, Mr. Speaker, I appreciate that and we'll get right back to the topic.

There is urgency to this particular debate. As the government attempts to move forward with this deal, Mr. Speaker, one can question in terms of its actual motives. In fact, we know that this government actually had an agreement back in February in regards to the purchase of these aircrafts. So one could question as to why it is that they decided to

exclude it from their own budget. If it was in such a high need and it was such a wonderful announcement, why did they exclude in their budget, on budget day?

**An Honourable Member:** It's in the budget.

**Mr. Lamoureux:** You said—the Minister of Finance (Ms. Wowchuk) says it's in budget. Mr. Speaker, nowhere in the budget document does it say that the Province is purchasing four aircraft water bombers.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order. Let's have some order here. I need to be able to hear—order. I need to be able to hear the words that are spoken. I have to make a decision after it's over. I'm sure if there's things to say from either side of the House, whichever member gets up to represent them, will have that opportunity. There's no need for members to be shouting back and forth because your member will have 10 minutes to convince the urgency and I'm sure some of the issues will be raised.

**Mr. Lamoureux:** Again, if you take a look at the rationale, I believe, from this government has been—and I will look at the Minister of Finance's full presentation on budget day and I don't believe it's in that document, the word—the words "water bombers". And I challenge the Minister of Finance to show me in that document or in her speech on budget day where she made that announcement.

\* (14:40)

Rather, Mr. Speaker, this is why I believe it's so critically important. The government is in fact taking and manipulating what's going on on this particular issue. It is more important for them to try to get the photo op, to try to make it look as if they're doing something positive. And, after all, who's going to oppose the idea of having, you know, brand-new planes purchased?

**An Honourable Member:** You are. You.

**Mr. Lamoureux:** And, yes, I will oppose it, Mr. Speaker, and it's because this Premier (Mr. Selinger) is doing it for all the wrong reasons. This is not the time in which Manitoba should be purchasing four water bombers. This Premier has failed to explain to Manitobans and failed to explain inside this Legislature why Manitoba has to have the \$126–\$126-million expenditure.

Has those—have those current aircrafts, Mr. Speaker, expired? Are they not able to use them? Are we not able to do what Newfoundland and Labrador or the province of Saskatchewan is doing in terms of retrofitting, in terms of fixing so that you'd be able to increase the longevity of those planes?

I realize that the Premier wouldn't have had that huge photo op if he was announcing that we're going to retrofit the aircraft. I acknowledge that, Mr. Speaker, but I'm going to suggest to you that at some point, that the government's got to be held into account for even those announcements that they make that on the surface might appear to be good when in fact it's not in the best interest of the economy, it's not in the best interest of the taxpayers, that there were indeed alternatives. And this government has chosen to ignore the alternatives in favour of trying to get that photo op to make it look as if this government is sincere about fighting fires.

And that is why I believe that we need to have this debate today, and I look forward to how it is or what justification the government would have in terms of saying that this is something that's not important to Manitobans, and look forward to hear their actual rationale as why they don't believe those aircraft that we currently have cannot be retrofitted or fixed so that they can continue, like other provinces, into the futures. And then, when Manitoba is in a better economic situation, then we go ahead and make the purchase of the new aircraft, maybe even work with the federal government to see if in fact you can get some sort of a joint agreement to purchase new aircrafts. Thank you, Mr. Speaker.

**Hon. Bill Blaikie (Government House Leader):** Mr. Speaker, I'll try to not take up the full time allotted to me for this because, frankly, I think that, on the face of it, this is not a matter of urgent and pressing public importance. But it's obvious that, without even consulting a map, that there can't be any forests in Inkster because if there was, surely the honourable member would be concerned about the ability of the government to protect his community. But because there are no forests in Inkster—there's lots of forest in the constituency of the honourable member from The Pas and Thompson and many other members in this House here. And that's the reason that the government moved forward.

We have an aging fleet and this is a commitment to the future of Manitoba and a commitment to the

future of the communities in Manitoba, in particular, northern Manitoba, but also any community that has forested areas that need to be protected, our provincial parks, whatever.

And I can only think, Mr. Speaker, again, begging your indulgence, that perhaps the honourable member is practising to be a federal Liberal because it was the federal Liberals who didn't replace the Sea Kings for decades and decades when they needed to be replaced, and we arrived at a point where those helicopters desperately needed to be replaced.

They were about to be replaced, EH101s, and who cancelled the contract? Who did the very kind of thing that he's advocating here today with respect to water bombers? The Liberal government. The Liberals in Ottawa that he wants to be a part of, Mr. Speaker.

So he would like us to make the same mistake with water bombers. The fact of the matter is, Mr. Speaker, we're not going to make that same mistake. We're going to invest in the future of Manitoba, in the future of our capacity to fight fires. And the fact of the matter is if the member wants to raise this in the context of whether this is an appropriate expenditure in the current fiscal environment, we're in the middle of Estimates. I look forward to seeing him there.

**Mr. Speaker:** Order. I thank the honourable members for their advice to the Chair on whether the motion proposed by the honourable member for Inkster should be debated today. The notice required by rule 36(1) was provided. Under our rules and practices, the subject matter requiring urgent consideration must be so pressing that the public interest will suffer if the matter is not given immediate attention. There must also be no other reasonable opportunities to raise the matter.

I've listened very carefully to the arguments put forward, however, I was not persuaded that the ordinary business of the House should be set aside to deal with this issue today. Although this is an issue that some members may have a concern about, I do not believe that the public interest will be harmed if the business of the House is not set aside to debate the motion today. Additionally, I would like to note that other avenues exist for members to raise this issue, including question period, members' statements, the Estimates process and grievances.

Therefore, with the greatest of respect, I must rule that this matter does not meet the criteria set by our rules and precedents, and I rule the motion out of order as a matter of urgent public importance.

### ORDERS OF THE DAY

(Continued)

### GOVERNMENT BUSINESS

**Hon. Bill Blaikie (Government House Leader):** Mr. Speaker, I think at this time the House would now resolve itself into the consideration of Estimates in the Chamber, and then the other two committee rooms as has been the practice in recent days, and tomorrow morning, I might add also. I'm—I need to make that announcement today as well. So we will be in Estimates tomorrow morning as well for the ordinary hours.

#### House Business

**Mr. Gerald Hawranik (Official Opposition House Leader):** House business, Mr. Speaker. In accordance with rule 31(9), I would like to announce that the private member's resolution that will be considered next Thursday is the resolution on protecting jobs in Powerview-Pine Falls, sponsored by the honourable member for Lac du Bonnet (Mr. Hawranik).

**Mr. Speaker:** It's been announced that the private member's resolution that will be considered next Thursday is the resolution on protecting jobs in Powerview-Pine Falls, and this will be sponsored by the honourable member for Lac du Bonnet.

\* \* \*

**Mr. Speaker:** And also we will now move into Estimates and as previously announced that after the conclusion of today's sitting, we will only recess and we will continue the Estimates process for tomorrow morning.

So now I'm going to be calling the Estimates for—in this—in the Chamber will be Executive Council; Room 255 will be Finance; and Room 254 will be Justice. So we will now—and respective Chairs, please go to the respective rooms to chair your Estimate process.

So the House will now resolve into Committee of Supply.

Madam Deputy Speaker, please take the Chair.

### COMMITTEE OF SUPPLY (Concurrent Sections)

#### JUSTICE

\* (14:50)

**Mr. Chairperson (Mohinder Saran):** Will the Committee of Supply please come to order. This section of the Committee of Supply will now resume considering—consideration of the Estimates for the Department of Justice.

As had been previously agreed, questioning of the department will proceed in a global manner.

The floor is now open for questions.

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Just to put a few more things on the record as we move along.

I know I'd undertaken to give some details on the Probe Research expense. I'm told we don't have that as of right now, and I'll make every effort to have that for tomorrow.

In terms of independent prosecutors, the amounts paid—my staff is still pulling that together. It may be something we have to provide by letter after we're done.

There was also a question about level 4 offenders. Corrections is working on that as we go. If I receive it this afternoon, I'll give you that. If not, I think we're pretty sure we can give that to you tomorrow morning.

And, indeed, the Prosecutions branch has said that if you do favour a career change in the future, you're more than welcome to come and apply with Manitoba Justice. *[interjection]*

Well, I couldn't do that as minister, but you'd be more than welcome.

**Mr. Kelvin Goertzen (Steinbach):** I thank the member for the response to those questions, and the generous offer from the department and, also, noting that I had one good question yesterday, I will try to find another one today. My mother used to always tell me that even a blind squirrel finds a nut now and again. So I may be so lucky again.

Just a couple clean-up questions from yesterday, and I'll get back into the more orderly—well, in my mind, orderly—questions that I had.

One of the expenditures payments that I notice along with the Probe Research one that I just had a

question about, falling under the 2008-2009 statements of payments, was the Acme Sport and Promotions company in Kingston, Ontario, \$30,756. I would be surprised if there was a quick accounting of that, but if there is, I'd be happy to hear. If not, just put that on the list of things. I'd like to have a clear understanding of what that payment was for.

**Mr. Swan:** I could advise that that payment was for inmate clothing. I understand that there was a tender and that this company was the low bidder. I say inmate clothing. My staff believes it was all for inmate clothing, but if there was any other component of it, I'll undertake to let you know.

**Mr. Goertzen:** I thank the member for that. Also, under that same year there was an expenditure of \$72,432 for the *Winnipeg Free Press*. My guess is that's probably a compilation of different advertising over the context of the year, that it wasn't for one particular reason, and, if that's the case, whenever the department can pull together a compilation of the payments to the *Free Press* on that year.

**Mr. Swan:** Okay. We will get back to the member with more details. My staff flagged that it could be any number of things. It could be human resources, careers notices, for those who need other reasons to come and join Manitoba Justice, public notices that are required to be filed from time to time. But we'll provide more details.

**Mr. Goertzen:** There's also two payments that I notice to Youth for Christ, one in Portage la Prairie and one in Brandon. Are those given under a specific application for a certain program or is that ongoing funding?

**Mr. Swan:** Just to try and give a quicker answer, does the member have the total amount that was paid out to that organization?

**Mr. Goertzen:** In—for Brandon it was \$10,100, and in Portage it was \$6,000.

**Mr. Swan:** Yeah. I'm pretty much certain that that relates to payments for Lighthouses that Youth for Christ operate in those two communities. If it's anything other than that, I will let the member know. But we have partnered with a wide range of organizations and indeed with Youth for Christ in those two communities.

**Mr. Goertzen:** I appreciate that, and certainly am aware of the good work that Youth for Christ does in many different communities throughout the province.

On the issue—a couple of more clean-up issues on conditional sentencing. We're talking a little bit about those conditional sentencing orders. How are those monitored in terms of ensuring that people are following the orders? I know at one point there was I think an initiative for telephone monitoring [*inaudible*] phone calls. Is that still the kind of monitoring that happens to ensure people are complying with their conditional sentence orders?

**Mr. Swan:** Yes, the telephone monitoring is part of it. I understand there's a voice recognition system. Individuals are required to call in and answer certain questions to confirm who they are. There's also curfew checks. There are efforts made through Outward from Probation Services to ensure compliance.

\* (15:00)

**Mr. Goertzen:** How many instances of non-compliance were there in the last year of record under the CS orders?

**Mr. Swan:** Yeah, we don't compile that information. Again, probation officers deal with each person in their workload.

**Mr. Goertzen:** Which I think is disappointing in the sense, I think, that useful information may not be politically helpful information, but I do think it's useful information. But, again, I don't want to sort of belabour a point, I think, that's been made, and that the minister and I will probably just simply disagree upon.

On the issue of Prosecutions and the number of positions in the department, I just want to ensure. He indicated the number of staff that were in the department. Are those actual individuals who are there and working, or are those the number of FTEs that are approved?

**Mr. Swan:** Mr. Chairperson, I understand that Prosecutions is at or very close to complement. It was pointed out with the appointment of Rick Saull to the Court of Queen's Bench, we're down to one Crown. So the numbers of prosecutors is actually the number of—pretty close to the number of bodies that there are now working.

**Mr. Goertzen:** The allowance for staff turnovers is indicated on page 33. It's not an insignificant number. I notice across the board, almost, in Justice there's sort of an increased allowance for turnovers, specifically for Prosecutions. What is the reason for that figure and the general increase across the

department? Is there a desire to not fill positions as quickly, or that positions will remain open for some time?

**Mr. Swan:** I think the fairest way to put it is that it's an accounting calculation to try to come up with a reasonable estimate of staff turnover, when staff may not be available for work. Again, as an example, Mr. Justice Saull, as he now is, his FTE is still there, but he isn't. He isn't at work right now and won't be returning to the Crown. It's an accounting entry trying to take those things into account, and I understand every department does that.

**Mr. Goertzen:** There seems to be, in my opinion—and I'm open to other opinions—but there seems to be a fairly high number. Is it—would it be usual to have that sort of a number for turnover or absent positions?

**Mr. Swan:** As you'll see from the previous year, there was that allowance taken as there has been for, as I understand, many, many years. So it's the best estimate. I'm told by my staff that it has actually wound up giving a pretty good reflection, but it's just an estimate for the year to come.

**Mr. Goertzen:** So, if my math is correct, it would be about a 7 percent vacancy or absentee rate at any given time based on the figures presented?

**Mr. Swan:** I agree with the member, it is in the range of 7 percent. Of course, it would depend which employee is away. It doesn't represent 7 percent of all employees, but the guess is it will be about 7 percent of all costs. Again, if I use Mr. Justice Saull as an example; he's at the top of the salary scale as a senior Crown attorney, so his absence—joyful absence for him—but his absence will actually have a bigger impact than a clerk who is away for a while.

**Mr. Goertzen:** Sure, I understand that because of the difference in salary, but it is an increase of about a percent on this particular allocation for absenteeism. It just seems across the board that there is an increase throughout the department of what's expected to be absentees. I suppose if it was—or vacant positions. If it was just one part, you know, one might think it was just an aberration, but it—and it may still be a coincidence, but it just seems more deliberate that there's more higher turnovers or vacant positions.

**Mr. Swan:** In coming to that total my department tries to use some historical figures to try and come up with that estimate and in other areas of the system, you'll see that that allowance for staff

turnover is very low. So, for example, adult corrections, on page 75, the total salary costs are projected to be over \$92 million. The allowance for staff turnover is not even \$1.8 million. So it varies from department—or, division to division. It's simply the best estimate that the department can put forward.

**Mr. Goertzen:** You know, a cynic would say—and I don't count myself among cynics—would say that perhaps an effort to make the budgetary numbers work a little bit better to increase the turnover numbers are to leave positions vacant more throughout the year. But in any event, to move on back to issues around Corrections.

I had asked the minister yesterday about how incidents are reported in prisons, how prison guards report either threats or actual incidents of bodily harm against them. How do they go about making that report and what triggers a report?

\* (15:10)

**Mr. Swan:** Yes, I thank the member for the question.

A report is made on an incident whenever it is anything that a Corrections officer feels is significant, whether it is, in their view, a subordination issue with an inmate or something that's done, inappropriate use of profane language or threats or throwing substances, whatever the case may be, or if it is something that would be helpful for intelligence for Corrections; somebody has done something which indicates gang membership or something like that. Whenever a correction officer feels it's significant, they can then make a report. It goes into the management system and the superintendent of that institution, and as I understand it, the executive director either of adult or youth Corrections will see that.

There may be multiple reports from one incident, if more than one corrections officer goes to the system and makes that report, provides a summary of the incident and then can result in a number of different things. It can be some institutional charges, if I can call it that, some discipline within the institution or there could be other steps taken by Corrections to deal with it.

**Mr. Goertzen:** In relation particular to threats against guards or any sort of perceived threats to guards or actual physical interactions between prisoners and guards, is there—has there been an

increase in the number of incidents that guards have seen over the last number of years?

**Mr. Swan:** There isn't really an easy answer to that. I understand that the rate of reporting of incidents has been relatively volatile over the last many years. And there's always—I suppose since the entire history of jails, there's always been a history of incidents occurring. The number depends on a bunch of variables. It's probably fair to say that, though, that when the inmate population is higher, the result as well is that the staff complement is higher, which does provide more opportunities for reporting of incidents.

So there's—I can't point to a specific correlation. It is volatile, but it stands to reason that as the population goes higher, there will be more incidents.

**Mr. Goertzen:** So you indicate that it's been volatile, so clearly there's a reporting mechanism and a collating mechanism. Could the minister provide for me the number of incidents, either per institution or system-wide, over the last five years, broken down by year?

**Mr. Swan:** You know, it's not information that we regularly compile.

Again, incidents can be any one of a number of things. I mean, it's an incident, again, if a corrections officer wants to document that somebody has been showing gang colours. It's an incident if two inmates have a pushing match over what they want to watch on the one TV in the unit, maybe.

So we don't actually have an ongoing record of how many incidents or what type of incidents are happening at the various facilities. The information gets—it's fit in to actually trying to resolve whatever issue, whatever intelligence, whatever information is being put forward by the correctional officer.

**Mr. Goertzen:** And yet the minister answered the first question by saying that it was volatile, the numbers were going—would go up and down. So he has some information, or I don't know how he answered that first question.

So could he just provide whatever information he has, then, whether it was the most recent collation of information? But he obviously answered the question the first time, so I'm sure he didn't just pull it off his head.

**Mr. Swan:** No, sorry, I didn't pull it off my head. I've got very good, dedicated, long-time staff that are assisting me, and I can tell you that my staff have reported anecdotally that incidents come and go and it's not able to—you can't predict in an upcoming month how many events there will be—or incidents because different things will happen, as they are jails.

So there isn't—again, there isn't anything that's current that really can answer what the member is asking for.

**Mr. Goertzen:** I guess it seems like something of a pattern. When you ask about conditional sentencing and how many breaches there are and you find out that, well, it's not really collated. The information exists somewhere, but it's not sort of put together. When you ask how many incidents there are in a prison, you find out that, well, it's recorded, but it's not sort of put together, so it can't be provided. You ask how many breaches there are on court orders and you find out, well, it's kept by individual probation officers, but it's not actually collated, and one gets a little suspicious that the reason the information isn't put together is that it—so it doesn't have to be released. And I don't think that that does a particular service to anybody other than perhaps a political service to the minister.

Is he saying that the number of incidences can't be collected, or that he just simply chooses not to?

\* (15:20)

**Mr. Swan:** Well, what I can respond is that my department has made a priority into putting their bodies and their effort into providing front-line services, and we think that's the most important thing.

What is far more important is that when there is an incident that there's someone that can respond to it, can deal with it, whether it's intelligence that needs to be fed into the prison system, whether it's a disciplinary issue that needs to be dealt with with the particular inmate or inmates, whether it's a particular adjustment that needs to be made in Probation Services.

The preference of Manitoba Corrections is to actually have people taking incidents and taking data as it comes and going and making changes and not pulling people off of their front-line work, collating information which, in the view of Corrections,

doesn't really improve the nature of the work that they're doing.

So that may not be the answer that the member wants to receive, but it is certainly the way that Corrections does their work.

**Mr. Goertzen:** I would offer that in today's day of modern technology and entering things into a computer, it seems a bit like a bit of a 1950s solution to a modern-day problem. I still suspect that there are other reasons behind it, but, again, we're going to agree to disagree on that issue.

We discovered, or you indicated yesterday, that the contract for the Crown attorneys had expired in March 31. What's the status of the contract for guards in provincial jails?

**Mr. Swan:** I mean, these are really questions for Labour Relations, but I can tell the member that he's correct; the current collective agreement expired on March 31. I understand that an exchange of initial proposals has occurred, that at least one negotiation session has been held and there is another one scheduled later in the month.

**Mr. Goertzen:** And that's specific to the prison guards or are they under the same contract as the Crown attorneys?

**Mr. Swan:** The answer is a bit more complicated than I would have initially thought. The short answer is, yes, those are two separate negotiations. The Manitoba Association of Crown attorneys, MACA, has a separate contract and that'll be negotiated separately. The Corrections officers are represented by MGEU. So some elements of that contract will be negotiated with that particular unit. Other elements of their collective agreement will be bargained with the MGEU which represents a large number of government employees.

**Mr. Goertzen:** So, then, for my own clarity, right now Crown attorneys and provincial prison guards are without a current contract; they're existing under the old contract.

**Mr. Swan:** Yes, of course, contracts continue in force until a new one is struck, but that's right. The initial term of that has expired, as has many other civil servant groups.

**Mr. Goertzen:** So is the expectation, then, that the prison guards and the Crown attorneys will also need to fall in line with the Premier's (Mr. Selinger) directive of zero percent increases over the next two years?

**Mr. Swan:** I can't speak about the negotiations.

**Mr. Goertzen:** But it was a pretty public directive by the Premier. The Premier never spoke to the minister about what impact his comments would have on Crown attorneys or prison guards, and in the negotiations never came to him and said, do you think this would be a problem if we enforce the zero percent increase on prison guards and Crown attorneys?

**Mr. Swan:** I'm telling you we're not prepared to speak about the negotiations with Crown attorneys, with prison guards, or any other bargaining unit.

**Mr. Goertzen:** I want to ask the minister about a report that came out early in December from a news agency that suggested that Manitoba was considering a faith-based prison unit and that it was under discussion. Was that—was there any validity to that report?

**Mr. Swan:** The short answer is no. That organization, as I understand it, had forwarded a proposal to Corrections but had not met with Corrections, nor had Corrections given any indication that there was any interest there.

And just to add to that answer, that group had previously been part of a wider community consultation on generally where women's corrections was going, but there was no specific commitment made by Corrections or anybody else.

**Mr. Goertzen:** So did they make a—I know they put forward, then, a written proposal. Did they put forward—did they give a presentation to the department about what they would be suggesting?

**Mr. Swan:** My officials believe that the contact never went further than the consultation discussions.

**Mr. Goertzen:** And was it the department's position that the consultations wouldn't be fruitful, that it's not something they wanted to pursue so they ended the consultations, or is there an expectation that consultations might start up again at some point?

**Mr. Swan:** I mean, I can tell the member that, really, things never progressed at all. There's been no interviewing of this group or any other group. There's been no further information that's been either provided or requested, and there's been no decision made on various elements of the program that will go along with the new women's prison.

**Mr. Goertzen:** So the minister hasn't ruled out or dismissed the possibility of utilizing a faith-based

unit. And I'm not particularly interested about this individual group that's proposed here—I'm not even sure who it is—but the general concept of faith-based prison units, is it something that the department has ruled out?

**Mr. Swan:** You know, our primary goal is meeting needs of female offenders who find themselves in the justice system. So we haven't really made any philosophical or ideological decisions. What we want to do is provide the best possible service to inmates that we can. So there's no real leaning one way or another. As I say, we haven't gone forward with interviewing or requesting information from anybody who wants to provide services to female inmates.

**Mr. Goertzen:** And I imagine that the same rationale would apply to male inmates as well. I know that the province—and the minister knows the province has tremendous problem with recidivism and the high recidivism rate. And the American experience, I think, is somewhat mixed on faith-based prisons or units of prisons.

\*(15:30)

I wonder if they've done any analysis on if it would have any impact on recidivism, noting, perhaps, some commentators have indicated that the primary advantage is that when an individual then leaves the prison from one of these dedicated units there tends to be more structure or support built into the community that they're going into because they have established those contacts and that infrastructure already when they were in prison. And that often is the challenge, I understand, that when individuals leave prison, they sort of go—either go back into the environment that caused them to run astray of the law already. So these dedicated units provide infrastructure on the outside of prison as well.

**Mr. Swan:** I'll try to answer the member's question. We—in Corrections, we do believe in providing spiritual care to inmates, whatever their religious denomination might be. So there is programming already. We haven't looked seriously at anything more structured than that.

Obviously, with the prison population, for any program, we always have to look at the nature of the population, as we discussed yesterday, the high percentage of people on remand in for, in some cases, relatively short periods of time.

We certainly welcome the spiritual care that's now provided in our jails, some paid positions, some

volunteer positions. We certainly welcome volunteer groups who want to be involved with the prison population as long as they're acting in an appropriate way. And we certainly welcome any groups, again, appropriately, who want to help people reintegrate into life in the community.

**Mr. Goertzen:** Maybe then just as a final summation. The minister has indicated they—there's been no decision made; the door's neither opened or closed at this point when it comes to the idea of faith-based units in Manitoba jails.

**Mr. Swan:** I would agree. I should add that the report that the member first referred to came as a surprise to myself and also to senior members in my—officials in my department.

**Mr. Goertzen:** A couple of the related issues in Corrections.

What are the current number of guards who are working in provincial jails? I suppose there might be different classifications but whatever the easiest way to classify it is.

**Mr. Swan:** I will have my officials take a look at that and try to pull that together while all we can give you right now is the total FTE positions in the system which the member probably has already looked at. So we'll try to get you something better and hopefully for tomorrow.

**Mr. Goertzen:** That's fine. I appreciate the undertaking.

On retention of employees, the minister indicated yesterday about the sort of average seniority of Crown attorneys. What would be the comparable statistics for those who are guards in our jails in terms of their 'longevity' in the—in that position?

**Mr. Swan:** Okay. Well, I've discussed this, and we're unable actually to give you a turnover number, I guess is what the member is asking for. We don't really have that information at hand.

**Mr. Goertzen:** Then going back to the anecdotal evidence that the minister referred to before, from staff, is there a feeling that it's more difficult to keep people in that—those positions today than it has been in the past?

**Mr. Swan:** Yes, I can give the member a ballpark estimate cobbled together, and please don't hold me to this because this is just an estimate.



The pool of corrections officers in Manitoba is about 1,600 to 1,700, although it continues to expand as we invest in correctional facilities across the province.

I'm told that of those—of that work pool, about 100 will leave in a typical year. That includes retirements, that includes people who may go on to other careers, it may include those who go on to work for Correctional Service of Canada, it may be individuals going on to careers in law enforcement or any other pursuit.

So, about 100 employees a year, I'm told, is the usual experience.

\*(15:40)

**Mr. Goertzen:** Does the human resource person of the department or branch keep statistics on stress-related leave or similar types of leave taken by prison guards?

**Mr. Swan:** If I can let the member know that, you know, sick leaves are something that have been tracked sort of in terms of dollar costs, but not so much in terms of positions. And sick leave would take into account all kinds of leave, which would include stress, that would include physical injuries, that would include, you know, some chronic conditions as well. So I can't actually give a number or percentage of employees.

**Mr. Goertzen:** I'd be happy to take the dollar figure amount that the minister has, in writing if he'd like, for the last five years is fine.

**Mr. Swan:** I'm told that we can provide that for the last five years, keeping in mind that '09-10 haven't yet been collated. So it may be a two-parter. I can give the previous four years.

When the member gets the numbers, just please remember that there are a couple of different factors. One is that as the salaries of corrections officers increase and the number of correctional officers increases, the number will be increasing from those two factors as well. So just take that in mind, but we'll get that out to you.

**Mr. Goertzen:** I thank the minister for that undertaking and the caution. I'm not one to leap to conclusions on numbers, so.

On the issue of—I mean, a more general comment. The comment's been made by the MGEU representative for Corrections as early as this year. His belief, that overcrowding in the prisons is

leading to burnout and that—his quotation was that the system is truly beginning to fall apart. I recognize there are different motives for why comments are made, but does the minister share any of that concern that was stated by the representative for the MGEU on Corrections staff?

**Mr. Swan:** Well, first of all, we have a good relationship with the MGEU unit, and they do come forward. They've told me they've a good relationship with management to see what can be done, because we acknowledge there are pressures in the various provincial institutions. So we—that's why we're continuing to make investments, and why we're also continuing to increase the complement of Corrections officials.

I understand that we now have 10 recruiting classes every year. I understand that there isn't a problem in filling those recruiting classes. It sounds like there are a lot of Manitobans who are very interested in pursuing a career with Manitoba Corrections. So I take that as a positive step. As I've indicated, we do need to keep working to improve capacity, and, of course, we are adding to complement to make sure that conditions are the best they can be.

**Mr. Goertzen:** At one point there was discussion and, in fact, I had a discussion with somebody from the correctional centre in Headingley, and they'd indicated that a portion of the prison was going to be converted into what was essentially a therapeutic drug unit, where there'd be specific and full-time drug therapy provided to inmates who had presumably would have volunteered for that unit, but would have indicated some sort of drug dependency.

Is that proceeding or has there been any further information on that the minister can provide?

**Mr. Swan:** I can tell the member I don't have any information on that. That isn't something that's in the works.

**Mr. Goertzen:** A little surprised given who the individual was who discussed that with me, but is that something that the department would consider at some point? Obviously, I've had some—made some public statements about therapeutic drug prisons, but even using a portion of the current prison for a therapeutic drug unit, that's something that's been considered by the department?

**Mr. Swan:** We'll probably save this for the discussion with courts, but we have—we've been pleased to partner with the federal government on

having a drug court in the community which is intended to keep people with addictions' issues out of prison in the first place. So there are services that are provided to individuals in our jails that have dependency issues. We always look at how we can improve and enhance those.

Again getting back to areas where the member and I do agree, we think the ending of the two-for-one credit system will provide some more meaningful opportunities for individuals to deal with their substance abuse issues.

**Mr. Goertzen:** And we will, I suppose, when we get to the issue, of course, talk about the drug court. You know the success rate's there. One could argue whether or not they're encouraging or not. I suppose it depends on how one defines the individuals who are admitted into the court. But I still, just for the record, believe that there is a value in having that sort of a unit or dedicated portions of prisons. Certainly, with the record we have on recidivism, it certainly couldn't do any harm.

With that in mind, I ask the minister to provide in writing at some point in the near future the most recent recidivism numbers. I gather—I know that they're done every, I think, three months and then a look back from the two years ago when individuals were released and whether or not they've been re-engaged, recharged in the system. Could he provide the most recent recidivism numbers that we have?

**Mr. Swan:** The member's right that every three months there is a retrospective document pulled together by Corrections looking at how releaseses over the previous two years have done. So I will certainly make sure that he gets a copy of that next time it comes out.

**Mr. Goertzen:** —the minister for that. The incidence of drugs that are found in provincial jails—are there specific records kept on that and how often drugs are found from—in the possession of inmates who are in our correctional centres?

\* (15:50)

**Mr. Swan:** I can let the member know that the primary way that it's reported is through the incident reporting system that we've already discussed this afternoon. That incident report may lead to, in some cases, criminal charges. It may lead to disciplinary action, either within an entire unit or for an individual, which can include things like

segregation or a unit or an individual being locked down for a certain period of time.

So that incident reporting really is the way in which those kinds of situations are funnelled.

**Mr. Goertzen:** I'm assuming that, given our previous conversation, that there's no collated record of the number of incidents where individuals are caught with drugs in our provincial jails.

**Mr. Swan:** Similar to other incident reports, no, there is no—there's no separate collating of that that takes place. It's dealt with by Corrections staff on a corrective basis as the incidents arise.

**Mr. Goertzen:** Does the department ever use drug dogs in provincial jails?

**Mr. Swan:** Yes, there are two dogs that are trained for that purpose in our system.

**Mr. Goertzen:** And the dogs are, for lack of better terms, owned by the department on a full-time employment basis?

**Mr. Swan:** Yes, but they don't show up in our FTE statistics.

**Mr. Goertzen:** I suppose they work cheaper than most of us involved in the system. The—how often would they be going into—is it on a—it wouldn't be a regular schedule, obviously, because you wouldn't want to have that, but how often, would they, for example, be in Headingley?

**Mr. Swan:** I can tell the member that they're kept busy, but I don't want to reveal how often they would be in any particular institution or what the usual pattern would be.

**Mr. Goertzen:** I'll assume they're successful in what they do and they've had good track record, and is there any need to have more dogs on this patrol?

**Mr. Swan:** Generally, Corrections is happy with the results. Of course, the real measure of the results is what is then done with the information and the intelligence that's gathered. The dogs are considered to be an important part of the overall plan to try and keep contraband out of the jail system.

**Mr. Goertzen:** Can the minister indicate how many police are currently assigned to the Auto Theft Suppression Unit?

**Mr. Swan:** Yeah, I'm sorry. I don't have that information right now. The Winnipeg Police Service, of course, is responsible for providing the officers for that unit.

**Mr. Goertzen:** Could the minister undertake to provide that information?

**Mr. Swan:** We can certainly ask the Winnipeg Police Service.

**Mr. Goertzen:** You can probably ask him on Saturday night at the ball, but I'll wait for a more formal response than there.

The Parental Responsibility Act, which, I believe, is under Corrections, if I—[interjection] Oh, geez. Well, okay, let me just hold on, then, on that one. Fair warning that the question's coming on that.

Turnabout program is under Corrections? There was a commitment made in 2000 in campaign to double the size of the program, although I'm not clear on what that meant, if it meant doubling the number of youth who would be going through it or doubling the resources allocated to it? Maybe the minister could just give me an update on that.

**Mr. Swan:** Indeed, the number of individuals responsible for Turnabout program has doubled. A person has been added, based in Thompson, to deal with the youth in the north.

**Mr. Goertzen:** So, it's doubled from one to two?

**Mr. Swan:** That's right.

**Mr. Goertzen:** We'll have to make our election promises maybe less grandiose in the next campaign if that's—it seems to be working.

The measurement on Turnabout for recidivism, I know the department—if I'm correct—tracks how many people, how many youth do the program more than once, and then that's their measure of recidivism. Is there any look back beyond that? And the reason I ask is I—the window's fairly small. I would think that the—because it deals with a fairly defined age or—most of the individuals will be between a—age close to 12—that those numbers maybe aren't a very good indicator of the success of the program.

Do they look at how many individuals who have gone through the Turnabout program are then engaged with the law past the age of 12?

**Mr. Swan:** Yes, I can tell the member the way that it's tracked in terms of repeats. It refers—repeats are considered any child who's been referred two or more times in that fiscal year. So I believe the member has seen some previous years. It appears to be relatively stable at about 9 percent of Turnabout

children are referred back in the Turnabout program within that same fiscal year.

\* (16:00)

**Mr. Goertzen:** That's even a more narrow window than I thought it was. Would there not be value in looking at how many individuals—how many youth who have gone through the Turnabout program are then engaged within the mainstream justice system after their age of 12, just to get a sense of whether or not the program is having sort of any appreciable impact?

**Mr. Swan:** One of the difficulties, obviously, which again, I think the member for Steinbach and I agree on, is that the way that things are now working under the Youth Criminal Justice Act, there isn't—a child offending doesn't necessarily create any record that allows us to try and cross-reference them with the Turnabout program. And what I'm referring to is that a child may be involved in the Turnabout program, may then turn 12, may be picked up by the police and then may be cautioned and released into the care of their parent or guardian.

So I don't know that those statistics would be that helpful in terms of determining whether or not the Turnabout program is successful. I mean, it may, to be honest, it may actually make the Turnabout program look more successful than it is.

We know that we're dealing with some children with some substantial issues, and I wouldn't want to say that just because a child doesn't get formally charged under the Youth Criminal Justice Act that that child doesn't have ongoing issues. So I'm—I can't really give the member a better answer than that.

**Mr. Goertzen:** In regards to the Spotlight program, can he indicate how many clients are in the Spotlight program currently?

**Mr. Swan:** We don't have the number today, but I expect that's something that my staff can pull together pretty quickly.

**Mr. Goertzen:** I thank the member. And if there are any recidivism numbers related to the program—it might be too new of a program, I'm not sure you would've done any tracking on that—but if you could provide that as well, if those numbers do exist.

I do have a question about The Parental Responsibility Act—and I'm essentially done with the issue around corrections now, so if I could do a one-off with whoever is responsible for parental responsibility, and I know it's not staff at the table—

but can you indicate how often that act has been put to use and utilized in the last few years? And I'll let you define what a few would be.

**Mr. Swan:** I can give the member details for the last five years: 2005, there were six Parental Responsibility Act claims; 2006, there were 10; 2007, there were two; 2008, there was just one; and in 2009, there was just one.

**Mr. Goertzen:** Because it's not a large number of cases, can you provide details on the type of cases those were related to? Maybe not today, but sometime soon.

**Mr. Swan:** I'm not sure how much information we can pull together, but we will take a look and see if we can find information on the—as the member said—the few number of cases that have been filed under that act.

**Mr. Goertzen:** I thank the minister and his staff for that. More generally, why is it that the act doesn't seem to have much robust use?

**Mr. Swan:** No, I'm moving into the field of speculation because, of course, Justice doesn't make the choice to file. It's individual plaintiffs who decide to bring a claim under the act.

There's a couple of reasons why that may be. Individuals may, even if they were successful, may not feel good about their success of recovering against a family who may be judgment-proof. And when I say judgment-proof, they may have very little in the way of assets and very little in the way of income. The act itself provides an opportunity for a parent or guardian to defend the claims saying that they had provided an adequate level of supervision, and if the judge agrees with that, even if the child is found to have committed the act or committed the theft, as the case may be, that is a defence and the claim wouldn't succeed under the act.

So it hasn't received a lot of interest in the past number of years and I'm speculating those are the reasons, but I can't say for sure why individual plaintiffs would or wouldn't come forward.

**Mr. Goertzen:** And it maybe reminds me a bit of the debate around the community safety act and whether who brings forward the claim and whether it is more difficult to have an individual do it as opposed to having it instituted by a director within the department. I mean, are there different ways that other jurisdictions use parental responsibility acts that maybe have been seen to be more successful?

**Mr. Swan:** I can tell the member I'm not aware of other provinces having great success with acts like these. It's not the only remedy which is available. I mean, a court can be asked to grant a restitution order if there's a theft or a damage claim. I can tell the member it's not something that comes up when attorneys general get together, either as western attorneys general or across the country.

**Mr. Goertzen:** So there's been no impetus by the act—or by the department to look at the act and see if there's a better way to utilize this type of legislation?

**Mr. Swan:** It's our intention that, where appropriate, there would be a restitution order sought in a criminal case. We haven't put a lot of—let me word it another way, we've had a lot of other priorities, so The Parental Responsibility Act hasn't come up for discussion.

**Mr. Goertzen:** All right. I'm prepared to move on to questions around the courts. I think that's the order that I suggested we'd go. And then from there into Legal Aid, although I'm—well, maybe get into Legal Aid by the end of our time today.

In any event, regarding the courts, could you just list the number of provincial judges we currently have and if there are any vacancies?

\* (16:10)

**Mr. Swan:** Right now, there are 41 Provincial Court judges and there is one vacancy.

**Mr. Goertzen:** Where's the vacancy for?

**Mr. Swan:** The vacancy is for a Winnipeg position when Judge Ron Meyers retired and tragically died very shortly after his retirement.

**Mr. Goertzen:** Who currently comprises the judicial nominating committee?

**Mr. Swan:** That is fluid. Whenever there's a vacancy to be filled there is a—there are a number of spots which are filled automatically by Provincial Court judges, by the Manitoba Bar Association, by the Law Society of Manitoba. There's also three lay individuals that are appointed by Order-in-Council to be part of that committee.

**Mr. Goertzen:** So that committee hasn't been formed to fill the one vacancy. Is that correct?

**Mr. Swan:** That committee has done its work on that vacancy.

**Mr. Goertzen:** So who did comprise that committee?

**Mr. Swan:** I can undertake to provide that to the member.

**Mr. Goertzen:** In terms of the Order-in-Council appointments to the that committee, what qualifications would the minister be looking at in terms of who he would have—appoint.

**Mr. Swan:** Well, there'd be a number of factors. I mean, certainly, an important thing is being resident in or very—or in the area that served by the court by the persons—by the person being seen as a leader, an important part of the community. With most panels, we try to have one of those three people be somebody of Aboriginal heritage, and wherever possible we've also tried to include somebody, in many cases retired from law enforcement, but somebody with a law enforcement background.

**Mr. Goertzen:** So past donor history through the NDP or history as a candidate to the NDP nominations or party, that would form no part of the decision?

**Mr. Swan:** You know, it's an unpaid position. People come and volunteer their time to do this. We pay their expenses. So I don't think that sitting on a JNC is a prize for anything anybody has or hasn't done. The people that sit on the JNCs are—they take their work very seriously. They work seriously with the judges and the lawyers sitting on that panel. So I'm pleased with the way that the system is working.

**Mr. Goertzen:** And no doubt it's an important role and I—I'm not sure, my own recollection was it might not be as difficult to fill some of those positions as the minister is indicating, and perhaps it is a coincidence that past members had a long history with the NDP party and had been financial contributors. I just know that the process needs to be held above reproach, and I'm sure the minister wouldn't want to do anything to taint that process.

Are there any plans to increase the number of Provincial Court judges in the province?

**Mr. Swan:** Yes, well, I should mention that at the current time there aren't plans to expand the court further. Right now the full complement, when the vacancy is filled, is 42, which is actually one more than has been the traditional level. We agreed temporary to increase the number of judges, with Judge Wyant stepping down as chief judge, to try and find a good role for him. So after the next retirement, the level will be down to 41. We are in—we frequently discuss with the judges and with courts how we can better provide judicial services

across Manitoba. So that is a discussion I expect will come up again.

**Mr. Goertzen:** And I know the discussion has been had with the minister, not only at this committee in the past, but also with members of the Law Society and Bar Association, about senior judges. His predecessors, both the member for St. Johns (Mr. Mackintosh) and the member for Kildonan (Mr. Chomiak), had always expressed support for the senior judge program, but it just never came to be, and I'm not sure why that is, if it's purely a financial issue, if there's a philosophical problem.

Are we the last province not to have senior judges in the country?

**Mr. Swan:** You know, I don't know the specific answer. I can, though, acknowledge that the majority of provinces have some kind of relief judge system, whatever they call it or however it works. Manitoba used to have part-time Provincial Court judges. I know that actually one of my early mentors, Ab Clearwater, served as a part-time Provincial Court judge. I think Manly Rusen also served as a part-time judge. Problems arose with that system because the idea was you couldn't be a part-time judge. You couldn't be a judge and also do something else.

Like my predecessors, I'm still interested in talking about a senior judge program. There's no question that there is a cost associated with it. But there's also no question there would be benefits associated with having additional judicial resources. So I'm hoping that we'll continue talking with the judges and come up with a plan that will provide some benefit for the system, if I can call it that, and give some relief to judges when various commitments or their own personal situations prevent them from sitting.

\* (16:20)

**Mr. Goertzen:** What would be the impediment?

I guess I'm having a difficult time understanding. We all seem to agree. The opposition party, we agree. The government seems to agree. Past ministers seem to agree. Bar Association, Law—everybody seems to agree that it would be beneficial to have a senior judge program that would help manage case delivery, that it would help to speed up the system, and yet it just doesn't happen year after year.

What is the roadblock in the way from this—in the way of this happening?

**Mr. Swan:** Well, as I indicated in my earlier answer, you know, there will be a cost to doing this. There will also be benefits, and I think it's quite fair to say, to this point we haven't been able to have enough of a case to show that there would be an actual benefit that exceeds the cost of not just paying a judge, but also staffing the judge, and providing all the other services that go along with it. There's some questions that we've got out there.

If it's a retired judge coming back to do the work, are they going to be keen to go to The Pas? Are they going to be keen to go on a northern circuit, which might be where an issue arises?

I'm hopeful that with the judges, we can come up with a plan that I can say will not only have the benefit of—the benefits to the system but will also outweigh the costs of going ahead and doing this. I mean, as I've said, we've—at least for the short term—we've increased the number of judges from 41 to 42.

The question may be: If it isn't cost appropriate, is it more appropriate to add another Provincial Court judge? And again we'd have to look at the costs and benefits of doing that.

**Mr. Goertzen:** And I'm assuming that the minister would agree that one of the benefits, setting aside for discussion the issue of cost, one of the benefits would be that the trials might proceed more quickly. Is that—would that be the general analysis?

**Mr. Swan:** Okay. At a very high level, I mean—I think the member and I agree in theory, if there's another judge or part of a retired judge that's added to the system, that that should increase capacity, but again there are some difficulties. If another courtroom was kept open, we need to have Crown attorneys that are ready to go. We need to have defence counsel ready to go. We need to have clerks, and, as I say, we're still discussing how this could happen in a way that really provides a net benefit to the system.

So it's not quite as simple as simply saying, look, if you had a senior judge program, things would move more smoothly. We have to take the cost of doing that into account and all the opportunity costs of what would go along with that. We're still hoping that we can receive more information and have a better case to do that but we're not there yet.

**Mr. Goertzen:** It just seems like an extremely slow process. We've had three different ministers who've all agreed that there's value to the program, agreement from, really, all party. I haven't heard any

opposition to it and yet it doesn't move forward. It seems to me it's probably more of a cost issue than anything else. But another program that there seemed to have been unanimity on among political parties, and maybe to a lesser extent in the public, but general consensus was that there should be some movement towards cameras in courts. And this is one of those that has gone on and on for a very long time. Can the minister indicate what the status of that is?

**Mr. Swan:** Sure, I can provide some history and let the member know where this issue now sits.

Back in July of 2008, my predecessor advised that the courts committee had recommended setting up a courts media committee composed of judges of all three courts as well as representatives from the media, representatives from the legal profession, representatives from Manitoba Justice and court administration, and this is very similar to a process that happened in Ontario not that long before. And the mandate given was to consider the need to improve the access of the media to the courts and explore broadcast of court proceedings.

I'm told that committee began meeting in the fall of 2008, completed its mandate by making its report to the chief justices and chief judge. That would be the Chief Justice of the Court of Appeal, Chief Justice of the Court of Queen's Bench and Chief Judge of the Provincial Court of Manitoba. Those judges then established an all-courts committee to review the recommendations and I understand that that work is still being undertaken. So, at the present time, it's in the hands of the judges, and cameras aren't permitted in courts unless permission has been given by the appropriate court official.

So, I'm expecting to have an answer back. I think my predecessor did say that if the judges were prepared to agree to cameras in courts, that that would be something that the government would be interested in moving towards.

Generally speaking, there's some reservations but there's also some acknowledgment of positives. If, for example, the Court of Appeal tomorrow decided that they had no objection with a camera going in, I don't think there would be any public concern in the Court of Appeal being televised. Whether it would have a large viewing audience is another matter.

There are other concerns that the judges, I know, are dealing with when it comes to the Queen's Bench and Provincial Court, where, of course, witnesses are

giving their live testimony. Some jurisdictions have expressed some concerns that may impact the kind of evidence that's given. It may impact on the willingness of people to come forward. At the same time, if it increases people's understanding of the judicial system and allows them to understand what better goes on in our courts, I think we can all agree that that's a positive thing.

So the short answer is it's now sitting with the judges and I will await their response.

**Mr. Goertzen:** Your predecessor—I don't have the exact quote in front of me, but I think I have it right. Your predecessor said that it was something whose time had come. And that was a couple of years ago and his time ended before the court—before the camera time came.

And unfortunately, I think that it would almost reinforce what people's worst fears are sometimes about the system and how slow things are. And it's sort of striking to me that it's taken this long for a decision to come forward on something that I don't think is a controversial or difficult thing to implement, recognizing that there are issues around privacy and there are other models that could be looked upon. It's not as though we're breaking new ground.

The Provincial Court annual report, when was the last one that was produced? Are we up-to-date on the Provincial Court reports?

\*(16:30)

**Mr. Swan:** Firstly, I won't quite let the member's comments on cameras in the courts go. To the best of our knowledge, there's yet—there is as yet not a trial court in Canada that has actually agreed to have a courtroom—or cameras in the courtroom. I may be wrong on that, but that is my belief, and it's not just—there are many concerns that need to be addressed, I hope, can be overcome. Safety, not just of the witnesses but also of our Crown attorneys, is something that needs to be, in my view, factored into this. So I don't want the member to walk away thinking that there's some deep philosophical reason against cameras in courts; there's some practical issues that have been put before us.

In terms of the Provincial Court reports, I'm told that the '08-09 Provincial Court report has not yet been provided. I am presuming it has to do with the changeover of the Chief Judge in that court, but unfortunately, we don't yet have it.

**Mr. Goertzen:** So when is the expectation of when that report's going to come out? Past reports have been delayed as well, and I'm not suggesting it's a pattern, but is there an expectation of when that report's going to be coming forward?

**Mr. Swan:** I'm afraid I don't really have any information for the member. My department tries to assist the court in completing that report, but ultimately it's the responsibility of the Provincial Court, and I suppose it's up to them when that report comes through.

**Mr. Goertzen:** And just going back to the cameras in court, I don't think I said that there was trial courts—I might be wrong—that had cameras, but I think Ontario piloted there in the Court of Appeal, which is what the minister had indicated as well.

And I don't—I'm under no illusions that it's going to rival *Desperate Housewives* for viewership, but I do think that there's an important point in trying to have that accessibility. And I think sometimes those within the system might feel that this is a way of exposing something negative about the court system. I think it could actually have, in many ways, the opposite effect, in having people—because even though courts are open, we all know that the vast majority of people will never take the time to go and view the court and I think that their perception, it might be very different than the reality, and if we can bring it into their home in some fashion, it can have a positive impact.

I want to ask the minister about the number of photo radar tickets that have been issued in the first three months of this year as compared to the first three months of last year, if he has any statistics on that.

**Mr. Swan:** I can advise the information that I do have before me is on an annual basis, and it's broken down between—for intersection cameras, speeding tickets, red-light tickets, and then there's a category for mobile speeding, which is the mobile units that are set up. I only have that on an annual basis. For '09-10, I have it up to January 31st, 2010. So that would be 10 of 12 months. But I can provide that to the member if it's helpful.

**Mr. Goertzen:** I appreciate the undertaking to provide that with the most current data that the department has. There's been discussion about a decrease in—particularly, I suppose, the mobile units with the number of tickets that they have issued. Is

that correct? Is that—have those numbers been decreasing?

**Mr. Swan:** I think the member is actually right. The numbers that I have for fiscal year 2008-2009, in that year there were 116,416 mobile speeding tickets issued. For 2009-2010, up to January 31, 2010, the total number of tickets issued is 60,727. My officials have just done a rough ballpark. We expect that will be about 73,000 for the 2009-10 year, which is a considerable drop from '08-09.

**Mr. Goertzen:** What does the minister believe accounts for that reduction?

**Mr. Swan:** Well, given that my department doesn't allocate where the units go, we don't enforce them. We rely on the police service. I can't really speculate on why the numbers have gone down.

**Mr. Goertzen:** The debate around—the minister may remember—photo radar tickets in construction zones where there are construction workers, resulted in regulatory changes in terms of the—where those units could set up. And if I understand correctly from my memory, the restriction was that they now can only be present at construction zones where there are no construction workers, if the construction area itself poses a danger to the drivers. Is that correct? Is my memory failing me, or is that correct?

**Mr. Swan:** The member is pretty much right on. You've got a bit of a streak going.

On May 8, '09, Manitoba amended the image-capturing enforcement regulation of The Highway Traffic Act to add clarity as to when and how photo radar could be enforced by municipal police services, as well as the signage.

So, section 9.3 of that regulation says that a municipality or police service must not use a photo radar system to detect the speed limit violation that occurs within a construction zone, unless (a) one or more construction workers are present in the zone, or (b) the municipality, first of all, has, in accordance with the act, imposed a speed limit in the zone that is lower than the maximum speed normally permitted for the portion of highway containing the zone; secondly, has placed an approved traffic-control device at the beginning of the zone, stating the lower speed limit and, at the end of the zone, indicating that traffic may proceed at the maximum speed normally permitted; and third, has, if the municipality considers it advisable to do so, placed approved traffic-control devices at intervals within the zone stating lower speed limit.

So that was much—frankly much clearer than the old regulation.

\* (16:40)

**Mr. Goertzen:** So the construction zone itself has to pose a danger to drivers for there to be a reduced speed limit enforced by mobile photo radar, unless there are workers present.

**Mr. Swan:** Yes, if the municipality chooses to—if the municipality believes that there is enough of a danger with the particular road because of construction that they believe it should be posted differently, then that's right. That will then fit under the regulation, and it's valid as long as all those conditions are met. It's valid for a municipal police service to use photo radar in that area.

**Mr. Goertzen:** But there's no description now, or examples of what would constitute a dangerous construction zone—whether it's crossing over between various lanes—there is no specific direction that is left up to the discretion of the municipal officials?

**Mr. Swan:** Well, you know, the—one of the big issues became, what evidence is there that the road poses a danger to the driver. It's easy enough if there's construction workers present in a zone. The safety of those workers is paramount. Where the workers aren't present, the right is given to the municipality to choose a lower speed limit. We presume municipalities will act appropriately in doing that.

And of course, it has to be properly signed. There has to be warning given the speed limit is decreasing. As the regulation states, there have to be approved traffic control devices reminding people of that speed through the area, and of course, there has to be notice at the end of the zone letting people know when the construction zone has ended.

**Mr. Goertzen:** Given that it's the provincial jurisdiction that guides or governs municipalities in terms of how they can use their mobile photo radar, would the minister find it useful to impose a requirement that municipalities provide past deployment of these mobile units so that people can be assured that they're being used in a way that they're intended to in terms of providing safety?

The reason I ask is I've tried obtain from municipalities the past deployment schedule, and they indicate that they don't collect that data. And I think the challenges that we have in Manitoba now is that there's a lack of confidence in the photo radar



system as a whole, that many people simply believe it's a cash grab, to be polite, and others go as far as to say it's tantamount to a scam, which I'm not suggesting it is.

But, I mean, those are the strong emotions that are out there, and I think it might provide some greater level of confidence if people could see historically where the mobile units, in particular, are placed. There is signage, obviously, for the ones that are at the intersection, and the idea being that it's supposed to reduce collisions. And so there's signs in advance because it's supposed to provide confidence in the system.

Would it not be helpful to have a report of where the deployment has been so people don't assume that it's always in school zones at three in the morning?

**Mr. Swan:** Yeah, no, I think the Winnipeg Police Service has actually done a pretty decent job, especially in recent times, of letting people know where these areas have been enforced and what the result has been. For example, last summer, July 3rd, 2009, Winnipeg Police Service raised statistics on speeding in construction zones where photo radar is enforced, and one example it gave was the Bishop Grandin construction project that I know is important for a lot of people. In the months of April and May 2008, 115 vehicles of every thousand received speeding tickets. In April and May 2009, only nine vehicles per 1,000 received speeding tickets. In the same press release, the Winnipeg Police Service told us that previously the average speed through photo radar enforced construction sites in April and May 2008 was 74 kilometres per hour. In 2009 that average was down to 58 kilometres per hour.

I think that what the Winnipeg Police Service was trying to tell us was that the appropriate enforcement of photo radar by the Winnipeg Police Service has had a positive impact on drivers. I certainly support the police service continuing to issue that kind of information. I agree with the member that the more information that's provided can be helpful.

Of course, the use of photo radar was allowed by the Province after requests by the City of Winnipeg and the Winnipeg Police Service, and, I think, as we've gone forward, I think the police service has done an improved job of communicating the benefits of people slowing down through construction areas and through school zones.

**Mr. Goertzen:** And I suspect—and I don't want to impugn the motives of anyone—but I suspect part of the reason that Winnipeg Police Service put out those statistics was because they themselves had felt that there was a lack of confidence in the public from the system as a result of what had been going on with the photo radar debate, not just the most recent debate, but even before that. And I think that's part of the challenge, and I agree. The more information that's distributed, the better, particularly on the mobile units, which seem to have a real—are a bit of a lightning rod for people because they feel that they're in places and at times that aren't about safety. And there's a feeling that they are about raising money from motorists who may not be driving dangerously for the conditions.

However, that doesn't exist right now. There isn't a requirement to put forward those kinds of statistics. It's really up to the municipality or, I guess, the individual police service or in co-ordination with them to determine what they're going to put out in terms of past deployment and past statistics.

There's no intention by the minister to go further in terms of legislating a requirement to provide greater detail in terms of usage of mobile photo radar units?

**Mr. Swan:** No. We certainly support—as I've said, we support the police service issuing more information as part of their continuing efforts to get people to slow down. I think that's a positive development, but, you know, we've strengthened the regulations to put more clarity as to what municipality has to do, and we think that's positive. I mean, we do have a police chief in Winnipeg who, I think, is a very good communicator, and I'm sure you and I will both speak to him at the police ball—and I made sure I told him that you wanted to run the half marathon the week after. So I'm sure you'll be out doing your training.

But in all seriousness, you know, I think the city of Winnipeg is well served when the police service is prepared to provide the kind of information that I read into the record to show that enforcement can result in safer driving conditions and certainly safer working conditions for our construction workers.

**Mr. Goertzen:** I suspect me running the half marathon would be a longer process than this Estimates process is going to be, and equally painful probably for all of us.

But the—I mean the reason I suggested it isn't a value-loaded statement for or against photo radar, but I think it is palpable in terms of the frustration that people have with photo radar, or a perception that it's not intended for what the stated intentions are for safety. There's a good degree of people—and I've seen different empirical evidence markers on this that would suggest that they believe photo radar isn't about safety and that it's about simply raising revenue, and, in particular, and it's directed almost exclusively at the mobile photo radar.

\* (16:50)

And so the suggestion isn't about attacking photo radar; it's more about trying to ensure that there's a confidence in people, that it's being used for the reasons that it's stated to be used for. And—because, ultimately, if there isn't confidence among the public in this system, I don't think it's a system that can be sustained, that if there is a continuing feeling that it's simply being used as a generator of cash and not of—of safety, that it's not going to be sustainable in the long run, that you're going to see even greater movement against it. But the minister has made his point about what he is or isn't willing to do on that issue and I'll leave that for the record.

There's been discussion about mental health courts and the potential for that type of facility. Does the minister have an update on that?

**Mr. Swan:** I can tell the member that I know he's interested, as am I, in continuing to look at a range of different problem-solving courts in Manitoba.

With respect to a mental health court, there is a committee that has been struck to look at possibilities. There hasn't been any conclusion yet as to what's to happen. There's no money committed in this budget to get a mental health court going, but it is something longer term that we want to keep moving towards because it very well could assist and, again, as another problem-solving court like the drug treatment court, there may well be a benefit to, I think, justice in Manitoba from it.

**Mr. Goertzen:** So there's no specific time frame. Is the minister excluding it as a possibility for this budget year since it's not—doesn't form part of the financial framework of the Justice Estimates for this year?

**Mr. Swan:** Yeah. There is no money allocated for the establishment of a mental health court in this budget year.

**Mr. Goertzen:** I wonder if the minister cares to comment on an article that appeared in the *Winnipeg Sun* on—I'll be more specific for the minister so he doesn't have to sort of fish around—on April 8th, and it was written by a reporter he knows well, Mr. Brodbeck—we both know well—indicating or relaying some comments from a Saskatchewan associate chief judge who had undertaken a Manitoba case and was using the Manitoba laws and directives as a result of undertaking it. And he indicated that what he would have liked to have given a stronger sentence for the individual who he was sentencing for multiple armed robberies, but he said he had to impose a more lenient sentence because Manitoba placed greater weight on rehabilitation for young offenders who are first-time offenders.

Can he indicate why the Associate Chief Justice for Saskatchewan would say that or take that position?

**Mr. Swan:** I've—I can tell the member I've got some things in common with the reporter. One is that we'll both be doing the police half marathon, and we hope you'll be there, and secondly, I also have in common with the reporter than neither he nor I were in the courtroom when this decision was handed down.

So, I'm led to understand that the reality of what the judgment was all about was somewhat different from what was portrayed in the article. What is correct is that it was a Saskatchewan judge, it was also an independent prosecutor, I believe from Saskatchewan as well, that were involved in this case. So I think that's about as much as I would agree on from what was contained in the article.

**Mr. Goertzen:** So, for clarity, is the minister saying that the reporter got it wrong or that the judge was wrong in his comments?

**Mr. Swan:** I'm—I can tell you that as I understand it, the comments in—the columnist's article did not actually reflect what was done in the—what was said in the courtroom by the judge.

And just to add to that, I mean, we—because it's an independent prosecutor, we want to receive more information so that Justice can make a final decision on whether any other step needs to be taken in this particular case.

**Mr. Goertzen:** So is he indicating that the department has reviewed the comments by the Associate Chief Judge and he finds them to not be reflective of what the reporter wrote?

**Mr. Swan:** I can advise that that review is still being undertaken by my department.

**Mr. Goertzen:** So he's not reviewing what the reporter wrote. He's reviewing the actual comments by the judge and why they were made.

**Mr. Swan:** Yes, I can advise that what the judge actually said in the case is far more important than what may have appeared in the column.

**Mr. Goertzen:** I indicate we have—or I'm—it's indicated to me that we have only one minute left, I thank the Clerk for that. The Clerk also advised me earlier on that I was speaking too quietly throughout these proceedings, which is the first time that's ever been cautioned to me in the six years since I've been elected, so I'm not sure what that's indicative of.

But, just for staff's purposes, so that they know for tomorrow morning, I have some more questions on the issues around courts, then like to go into legal aid, issues around policing, gangs, drugs and guns. So a light morning, but in that order and we might not get through all of it. But that's the order that we'd be proceeding in for tomorrow.

And I thank staff for the undertakings that they've made to get some of the information back that's been committed to by the minister.

**Mr. Chairperson:** Order. The time being 5 p.m., I'm interrupting the proceedings.

The Committee of Supply will resume sitting tomorrow morning at 10 a.m.

#### FINANCE

\*(14:50)

**Mr. Chairperson (Rob Altemeyer):** Will the Committee of Supply please come to order.

This section of the Committee of Supply will now resume consideration of the Estimates for the Department of Finance.

As has been previously agreed, questioning for this department will proceed in a global manner, and the floor is now open for questions.

Staff are more than welcome to come and join the table. If there's anyone new from yesterday—perhaps, minister, yes, if you'd be kind enough to introduce them.

**Hon. Rosann Wowchuk (Minister of Finance):** No, Mr. Chairperson. I think the same staff that was

here yesterday will join us again today, and that is Bruce Gray and Erroll Kavanagh.

**Mr. Chairperson:** Very good. Thank you for that.

Floor being open for questions, honourable member for Tuxedo.

**Mrs. Heather Stefanson (Tuxedo):** Thank you very much, Mr. Chair, and, yesterday, we were on the topic of equalization. I just had a few more questions surrounding that before we get into—I know we agreed to have only certain staff here, which is fine. Get through some questions and not take up everybody's time.

With respect to equalization, I know it says in the budget under the summary revenue estimates, the federal transfers, and it has equalization down there as \$2 billion. Where is that—where does that number come from? Is that a number that comes from the federal budget, or is it based on discussions with the federal government?

**Ms. Wowchuk:** Mr. Chairperson, as I had indicated to the member yesterday that the equalization and the Canada health and social transfers are—particularly equalization, is part of the whole Constitution and how Canada's funded, and this is calculated on a formula.

**Mrs. Stefanson:** So, on the formula, so this is what you're projecting that you will get from the federal government for next year? And when does that—when is that number sort of finalized, or, how is that done with the federal government?

**Ms. Wowchuk:** The number is normally finalized in December, and so we've gotten the number from the federal government as to what it will be in the next year.

**Mrs. Stefanson:** So, just to be clear—so all of the numbers that are here, you've based these on a formula, and you confirm that with the federal government so they give you the—they basically give you these figures in the end for your budgets on a—I'm just trying to get the process here in terms of how it works.

**Ms. Wowchuk:** Mr. Chairperson, it is the federal government that calculates this payment based on the information that they collect across the country, and it, as I said, it's based on the formula. The federal government determines the number.

**Mrs. Stefanson:** And in the past, the number that is given in December, is that typically what ends up

coming to the government? Is it sort of a guaranteed number? Is there—are there qualifications around it or is that—they've—I mean they have committed to these numbers and they follow through with those numbers?

**Ms. Wowchuk:** That's right. Once they commit to the number, they follow through with that number.

**Mrs. Stefanson:** And the reason I'm asking this is just that if—and we, you know, we have looked at and seen—and we've gone through a pretty major, you know, recession and the federal government will, you know, at some point, you know, may have to cut back on some of these equalizations. And we saw it in the 1990s where that happened.

And I'm just wondering how you prepare for that in your—when you're putting your budget together. Or do you just sort of rely on the number that they give you, or they'll let you know in December that you're going to have significantly less in revenues in the way of equalization or the other transfers, the CHT and the CST, et cetera?

**Ms. Wowchuk:** The federal government could make a change and then we would have to adjust for that, but we—I take the word of the finance—federal Finance Minister, who indicated when he was dealing with the recession that he wouldn't balance his books on the backs of the provinces, so we lead that to—we take that—him at his word and we believe that the numbers will not decline.

**Mrs. Stefanson:** In the event that something does happen and there is a decline, what do you do in that instance with respect to the budget? Is there an adjustment that's made to the budget itself or—and when would that be indicated, I guess?

**Ms. Wowchuk:** Certainly, there could be a change, and we would hope that there would be adequate notice given so that we could make those kinds of adjustments. The number—we usually get the number in about December—in December, so that gives you time to work and put the budget together, but again, I'm hopeful that the federal minister will be true to his word when he said that he would not be balancing his budget on the backs of the provinces. And there are formulas in place for how the CST and the CHT are calculated, so that part of it's there. And I hope that we would see—and if there was any changes, and as you have—the member has indicated, there have been changes in the past, that there would be enough notice given so that adjustments could be made.

**Mrs. Stefanson:** When does the money actually transfer from the federal government to the Province?

**Ms. Wowchuk:** It's—the money is divided across the 12 months and it's a monthly payment each time.

**Mrs. Stefanson:** So, if we're in a situation where there's a significant decline, it could come at any point throughout the year, where it could affect, like, a monthly payment to the Province, or how would that work?

**Ms. Wowchuk:** No, we couldn't get a surprise within the year because once they've announced the amount then the—it's divided up by 12 months. If there was going to be a change, it would be—we would be given notice in a—for the next year and then that's when the adjusted—adjustment would be made. But my understanding is that once the announcement is made upon how much the Province is going to receive that there isn't a change in the middle of the year.

**Mrs. Stefanson:** Oh, sorry, I had understood you to say earlier that there could be changes throughout the year and that's not the case.

**Ms. Wowchuk:** I'm sorry if I gave that impression. Once we know in December what the amount is—has been calculated and what it will be, it will not change during that year. But in the next year, there could be notice given on what the amount must be and that might be different. But again, I'll go back to the comments that the federal minister made, and he said he wouldn't balance his books on the backs of the province, so we don't anticipate changes.

\* (15:00)

**Mrs. Stefanson:** Okay, so if there were—is there any kind of a notice? I mean, they come out with their figures in December, I guess, to all the provinces. Is there any notice ahead of time, before December, or do you just sort of wait for that figure in December to know what the transfers will be?

**Ms. Wowchuk:** Of course, our officials are in constant discussion on a variety of topics with the federal minister. But there is, traditionally, a Finance ministers' meeting in December, and it is that time when ministers are given the official notice of what the amounts will be.

**Mrs. Stefanson:** And just while we're on federal transfers—and I have sort of a more broad question on this side—but we did talk a little bit yesterday about the health-care expenditures, which—and I believe

it's—Health represents about 38 percent of the budget. Is that—I—and that percentage is sort of growing and it's an issue that, I think, provinces have all across the country, as health-care expenditures continue to rise and new medications out there that are covered for Manitobans, et cetera.

How is it—are you working with other Finance ministers across the country to deal with that? And can you talk a little bit about the approach that's maybe being taken in other provinces and what you might be doing here to help that issue or—

**Ms. Wowchuk:** In fact, this was an important topic at our federal—FPT, where Finance ministers across the country talked about the challenge of health care. People talked about the different options that they were looking for. Our position is that we very much want a national approach to this. I don't think that it makes much sense for peace feeling and setting one province up against another.

Finance ministers are following up and are going to do some work and some possibilities. The Health ministers are having discussions on how we might work on a national basis on these issues and premiers across the country have also talked about it.

But is it on the minds of Finance ministers? Yes. Do we have a solution? No. But my position is that I would like to see this have a national approach to this. This is a—our health-care system is an important program for all Canadians and I certainly want to see it maintained and I think we have to look at it. I think that there are ways to find solutions, ways to address the challenges, if we work together.

**Mrs. Stefanson:** No, and I thank the minister for that and, you know, I'm happy to see that there is—that the minister is partaking in a—more of a national strategy because it is an issue, I think, across our country. And I think, to just ignore it would be, you know, the wrong way and just to continue in that direction because I—it is important. And it's not just for Manitoba; it's everybody. And, obviously, a national approach needs to happen.

So, is—when you get—how often do you get together with Finance ministers across the country?

**Ms. Wowchuk:** Finance ministers meet twice a year.

**Mrs. Stefanson:** And is this some—is health care typically on the agenda for those meetings? Is it—or is it—when was it last discussed?

**Ms. Wowchuk:** As I've only had one Finance ministers' meeting that I've attended, I can tell you

that it was a discussion that we had at the ministers' dinner. It was a discussion that was raised at the table and I haven't seen the agenda for the next meeting, but I know that across the country, our staff, not only our staff, but more particularly, staff in the Department of Health are taking a lead role in this. I haven't seen the agenda, but I'm sure, at the level it was raised at the last meeting, we will have further discussion on this issue.

**Mrs. Stefanson:** What other issues are—do you discuss as Finance ministers across the country in terms of different ideas that are being used elsewhere that perhaps could use here? What other areas could we work with other provinces together to learn from, sort of, each other in what we're doing?

**Ms. Wowchuk:** There are several items that we discussed and, of course, this one would be—was the economy, where Mark Carney from the Bank of Canada gave us a presentation on the economy. Access to credit is another issue, and, certainly, pensions were one of the important topics, as you may—as the member may know. There has been a lot of discussion on how we can improve pension plans, and I wanted to thank my predecessor for getting that on to the Finance ministers' table. And, since that time, there has been a lot of work in each jurisdiction across the country to look at how we might make improvements or changes to pensions. And I anticipate that that will be on the agenda at our next meeting, because we are doing consultations, federal government is doing consultations, other jurisdictions are looking at the pension plan to see how it might be improved. So I think that—so those were some of the topics that were on the agenda.

**Mrs. Stefanson:** Well, thank you very much for that. And just on—when you're—the minister mentioned Mark Carney, and, maybe, segue into talking about interest rates, if we could, for a little bit. Obviously, the governor of the Bank of Canada has indicated that rates are going up, and I'm wondering if the minister can comment on whether or not—how is that budgeted for in this budget? I mean, we're aware that interest rates are on the rise, you know, that they are going to, but how does your department work on that to project for those increases?

**Ms. Wowchuk:** I—there—this is an important area and I want to recognize the staff that work in this area. They—there is a lot of work being done on a daily basis to ensure that we have the right mix and we have a mix of long- and short-term borrowing, and they continue to look at the best possible rate that we

can get for our money. And one of the areas—the member talks about interest rates going up and, yes, there's no doubt interest rates, if they are going to go anywhere, they're not going down. They're just about as low as they could possibly get. So they are eventually going to have to go up and—so that's addressed in the way that we borrow our money in long-term borrowing. And there is only about 10 percent of our borrowing that is at the floating rate that will be affected and the rest is—I'm comfortable—has been borrowed and secured at some very good rates.

**Mrs. Stefanson:** But, in terms of projecting for the budget for next year, the debt component in—I assume it's based on monies that are coming due this year. And if there is, say, a 1 percent increase in interest rates, how will that reflect? Is that budgeted for in this budget, and how do you budget for that? I guess that is my question.

\*(15:10)

**Ms. Wowchuk:** The money that is coming due was borrowed in the range of 10 to 20 years ago, and that was borrowed at a rate of higher than 7 percent. So, as that is being refinanced it is being refinanced at a lower rate than five–7 percent. So that's how that is addressed and it is through long-term planning bringing—and in having some of those—having a mix of long- and short-term loans, and when they come due, having them refinanced at a lower rate than they were before. So that addresses some of the interest that the member opposite has been expressing concern about.

**Mrs. Stefanson:** The Province actually provided an estimate of the impact of a 1 percent increase in interest rates in the most recent Public Accounts document for 2008-09. And they estimated that a 1 percent change would result in 17 million in additional debt-servicing costs. Can you explain that figure?

**Ms. Wowchuk:** That number was a projection of what a 1 percent increase would cost us last year and that was 17 percent. However, we have money that was at the floating rate that has come in and has—is now at a lower rate and the number for this year is 10 point—the number that is projected for this year—that this same money would cost us 10.5 million. So, from 17 million, last year, it's down to 10.5 just because of investments that have been made at a better rate.

**Mrs. Stefanson:** The new debt that was added by the Province in this budget was 2.253 billion. So, if that's the case is that—how is that accounted for, because, obviously, you're going to borrow at whatever the rates are today and, I mean, that will be an increase to the debt-servicing cost, I assume. So how is that sort of calculated for an increase in the expenditure documents, I guess?

**Ms. Wowchuk:** The new cash requirements are for Manitoba Hydro, \$816 million; for Manitoba Lotteries, \$50 million; for a total of 866. The other borrowings are for general purpose borrowing, 539; capital investment and general assets, 97.4; capital investment assets—infrastructure assets, 626.6; and the superannuation pension plan, 180 million; health facilities, 100 million; and other Crown corporations, 50 million, for a total borrowing of 2.457 billion—I should say, \$2.45 billion—and I mentioned the Hydro one, but that's a self-supporting debt so they would pay that. That's borrowing for Hydro that has to be done and they would pay that back.

So in 2010 we've got that number of '10-11 print. It's at—was at 265.8 million and then in 2009 it was 240 million, so there's an increase of \$25.8 million. And how that is made up, the 17.6 million is borrowing for the floodway and—[interjection]—oh, the Civil Service Superannuation Pension Plan—there is 6 million for debt financing. There is short- and long-term adjustments for interest rates, the short-term rates and investment returns of 2.6 million, other adjustments of negative \$400,000. So that brings us to the 25.8 percent that is the increase over print over print, so that's the variations that we have, \$25.8 million.

**Mrs. Stefanson:** How much money is coming due this fiscal year?

**Ms. Wowchuk:** Mr. Chairperson, 1 billion, 287 thousand, 393–1 billion, 287 million, 393 thousand is the amount that is coming due for refinancing.

**Mrs. Stefanson:** And is that the monies where you were talking about earlier as the 10 to—it was borrowed 10 to 20 years ago, is coming due and the average rate was around 7 percent?

**Ms. Wowchuk:** That's the money but there is also Hydro that pays their own. When I talked about the rate that it was borrowed at, I used the 7 percent, but it could be a variation because there are different loans, different borrowings that come in at different times, and some could be lower, some could be a

little higher, but they are around 7 percent, and now we are refinancing at a better rate.

\* (15:20)

**Mrs. Stefanson:** Okay, but there's also new debt that's coming into play that obviously wasn't being borrowed before and so whatever the rates are on that is going to be a significant increase to the debt servicing for this year. In just looking at the budget, you've budgeted 265 million and some change, I guess, for debt servicing for 2010-11, an increase of 10.7 percent over last year. And, you know, when I look at this, I mean, I just find that staggering because, you know, here's a government that says, yes, our focus is on health care, and now health-care expenditures are up 5 percent, but, really, if I were looking at this, I would say that this is a government that, you know, is laden with debt, the main focus here and the increase in expenditures at 10.7 percent, more than double the increase in expenditures for health is staggering. And is the rate—just wondering how you would calculate the rate on the new borrowing for the 2.253 billion in new debt. Is that included in this 265 million for debt servicing that's in the budget?

**Ms. Wowchuk:** The member opposite talks about the staggering amount that we are paying on interest, and I would remind her that debt servicing used to be 13 and a half cents on every dollar. It is now down to just over 6 cents on every dollar. So the debt servicing is down and—in comparison to what the rate it was in—under a previous administration.

So we have taken some significant steps to reduce the debt-servicing costs in this province and had—have made some significant investments. I would—include in those numbers are the Hydro and Lotteries borrowings and those are self-sufficient. They repay at—there's no interest that comes to government; they pay that for themselves.

The major increases are in funding the floodway, which I'm sure the member would consider a very good investment for the money that we save—Manitobans and Winnipeggers save—if we can control the flood, and the other part is the investment in the pension plan, a fund that should have been funded over the years but wasn't funded. And, again, it—when you look at what we are borrowing the money for and then how that fund operates, those costs are also offset by the borrowing, and the actual cost of the addition of money that we're borrowing is about 6—the interest is about 6 million?—\$6 million in additional costs that we are paying that—for the—all of

the stimulus, for the investment in pension, for the investments in Hydro. And, again, the rate that we are paying on every dollar is half of what it used to be.

**Mrs. Stefanson:** I mean, I guess the Minister of Finance is now taking credit for the decrease in the rates over the years. I mean, that is just unbelievable. Back in the '90s, the rates were a lot more. So, yeah, it cost a lot more at that time to borrow, but the fact of the matter is, we've had very low interest rates which has allowed this government to sail through so far. But, really, the problem with it is that they've increased the amount of money that they've been borrowing over the years and so that is still on the rise. And that is the real problem here. You don't—you can't sort of look at it that way unless, of course, she's taking credit for declining rates over the years which—I mean, I think the minister knows that's beyond her control. But, anyways, we will move on from there.

I know that the Premier (Mr. Selinger) has mentioned several times in the House that when he talks about the summary net debt as a percentage of GDP, he talks about it being 27 percent and that—you know, that's the thing that he's proud of. And I—you know, I have to say that if you compare that number to Saskatchewan, that Saskatchewan's core debt as a percentage of GDP is 7.3 percent and, actually, Saskatchewan is forecasting their debt-to-GDP ratio will go down to 5.7 percent by 2014.

Obviously, other provinces across the country are looking at debt in particular because, as interest rates rise, it's going to cost a lot more to borrow and so other provinces across the country are looking to decrease their debt.

What is the government's plan to decrease our debt, or is there one?

**Ms. Wowchuk:** Mr. Chairman, when we look at the debt-to-GDP, if we look at the western provinces that are just west of us, yes, their debt-to-GDP is lower than Manitoba's. But, if you look east of Manitoba, every other jurisdiction has a higher debt-to-GDP than Manitoba does. And that's what all of the comparisons show us.

When you talk about—the member opposite asks about what our—how we are going—what our plan is and how to deal with our debt-to-GDP. That is spelt out in our five-year plan. That's why we've put this five-year plan in place and did the Budget Address that spells that out. And in that five-year plan, we

said, yes, we are going to have a debt for four years, just as many other jurisdictions are going to have a debt, and we are going to protect front-line services and yes, we are going to make investments in stimulus to keep the economy going.

But we also have a plan as to how we're going to get out of that debt and that is using the—coming out of deficit in four years, and using the stabilization fund that we had saved aggressively in, and we plan to, over the next four years, pay—make higher payments that are even spelt out in the balanced budget legislation and we will be making \$600 million in payments.

So our goal is, and our plan is to make investments to keep front-line services going, make investments in stimulus and at the same time keep Manitoba an affordable place to live, have some restraint in government spending. In some departments there will be pressures, but we do have a plan on how we will get out of the deficit and pay down the debt at the same time.

\*(15:30)

**Mrs. Stefanson:** How much debt is the—how much is the government committing to decrease the debt over the next five years?

**Ms. Wowchuk:** Mr. Chairman, the debt will go up by about \$2 billion over this four-year period in this plan that we have put in place to protect services, that invest in stimulus, and we will be making payments of about \$600 million towards that.

**Mrs. Stefanson:** Sorry, is that—you're planning to increase the debt. So the debt is at—the summary debt is at 23.42 billion, is the budget, is the budgeted debt. And, over the next five years, you're planning to increase that to 25 billion? You're saying it's going to increase the debt by—or were you talking about the deficit, which is the number of—if you add up all of the numbers for the deficit over the next four or five years?

**Ms. Wowchuk:** When the member refers to 23.4 billion, that is all of the borrowing, the borrowing of Hydro and other Crown organizations. All of that is included. What we're talking about is the summary net debt of 13.995, and that is the place where we would add on, over the four-year period, an additional \$2 billion. So it would be added to the 13.9.

**Mrs. Stefanson:** Wow, that's worse than I thought, then. I was giving you the benefit of the doubt that it

might be over the summary, the summary debt, but if you—so, basically, you're looking at 2 billion on top of the 13 and—13.995. So, it's going to be up to 15.995 billion in four or five years. Is that what the minister is saying?

**Ms. Wowchuk:** Mr. Chairman, our—in 2009-'10-11, in this budget, our total expenditure is 13.265 and we will be short 545; in the next year we will have a shortfall of 448 million; in '12-13 we will have a shortfall of 345 million; and in '13-14 we will have a shortfall of 146 million, and we will be back to balance in '14-15.

So those numbers where there is a shortfall will be added to the debt.

**Mrs. Stefanson:** Okay, just going back to my earlier question of what is the long-term plan. I mean, I recognize that you're going to be running deficits for—projected deficits for the next four years.

What is the long-term plan to pay down the debt, or is there one?

**Ms. Wowchuk:** The plan is to use the fiscal stabilization plan, and we've said that we will use about 600 million from that plan, and we will be paying down the debt at a higher rate than is required under the present BBL. It'll be—we will be paying a higher rate.

When we come back into balance, we will return to the rate that is required under the existing balanced budget legislation.

**Mrs. Stefanson:** Can the minister—so, I mean, really, there is no long-term plan to really take hold of what is, obviously, a very serious situation. When we're in a situation of a 10 percent increase—or more than a 10, almost 11 percent increase—in expenditures just for servicing the debt alone over last year, that's the anticipated, I guess—so who knows, if rates are higher, and that number could be even higher than that.

That is—the seriousness of where we're at is that as our debt has increased—and since this NDP government took power the debt has almost increased by \$10 billion since 1999, and rather than using the money that they—and they received record transfer payments, increases in transfer payments from the federal government, record increases in revenues, et cetera. But, rather than paying down the debt, they chose to spend the money. And now we're in a situation where we've got an overall debt—okay,



so a core operating debt of \$13.995 billion, a summary debt of 23.420 budgeted.

There is a serious situation in the event that interest rates rise, and the governor of the Bank of Canada has already announced that rates will rise. We know that this is—that this number, the servicing of the debt, is going to increase significantly.

What is the plan to reduce the debt so that we can reduce those debt-servicing payments?

\*(15:40)

**Ms. Wowchuk:** You know, a bulk of the increase has been because of—we took—made the decision to address pension liabilities. That was something that had been neglected, not addressed for many, many years. We've taken that on.

Now, the member talks about interest rates increasing. We've talked about that. We've said that we have long- and short-term borrowing, and we have—are confident that with the long-term borrowing that we have that we will not see significant increases in our borrowing costs in that sense.

But we—this is a five-year plan. Our economy is going to grow in those five years. We will see growth. We believe that our debt-to-GDP will be—remain the same or will improve. But the member may not have much confidence or implies that she haven't—hasn't—doesn't have confidence in the steps that we have taken since we have taken office.

But I'll take the word of the financial institutes and, you know, we have had our rating increased by Standard and Poor's; we had a AA minus, it went up to plus AA. Moody's we had—we're an AA3; we've gone up to an AA2.

So each—the Dominion Bond Rating services has changed Manitoba's rate from an A to an A high, and if you look at the comments that the various institutes, and the academics at universities have said, they have said that the plan we have made is a positive plan and it hasn't affected our ratings.

So I will go by those—what the financial institutes are saying, but I'm confident that we are taking the right steps by addressing pension liabilities, by making investments in stimulus to keep people working. We will grow the economy and that our debt-to-GDP will, in fact, improve.

**Mrs. Stefanson:** So the minister says that she's confident that the debt-to-GDP ratio will improve.

Yet we know that she's going to be adding about \$2 billion to the debt over the next four years.

What is the basis for that comment? Are we—I mean, if you're increasing the debts, you know, what—if she's confident that the debt-to-GDP ratio will decline, what are the—what are her targets then, and what are the basis for those targets?

**Ms. Wowchuk:** Mr. Chairperson, we made a conscious decision as we looked at this challenge that we were facing. We made a decision, and we looked at all the options, and we could have done what previous governments have done, and we could have attacked the deficit immediately. And, if we would've done that, we would have reduced jobs. We wouldn't have spent on stimulus and we would've seen a real downturn in the economy.

We took a different approach. We said that we were going to invest in front-line services. We were going to invest in stimulus. We were going to keep people working. Thousands of people will continue to work because of the stimulus, and thousands of people, nurses and doctors, will keep their jobs, and teachers will keep their jobs, because of the decision we have made to invest. People are working, you have a healthier economy.

And we believe that, by keeping people working, by investing in stimulus, we are—that our debt-to-GDP will improve. We believe that it's worthwhile to make these investments rather than make dramatic cuts that will put people out of work, have no investment, and take decades to recover from.

**Mrs. Stefanson:** Well, I believe it was the financial institutions, or it's somewhere in the document, that the estimated growth for next year is at 2.5 percent. And, if that's the case, I'm just—I'm wondering, you know, and if we're increasing the debt over the next four years by \$2 billion—I mean, the minister is saying that she's confident that the debt-to-GDP ratio will decline. I just want to know what the basis is for that comment and what her targets are.

**Ms. Wowchuk:** What I did say was that I'm confident that the debt-to-GDP will improve over time. I don't anticipate it'll improve next year because we are making—I don't anticipate that it'll improve next year but by making these kinds of investments—by continuing to invest in front-line services, continuing to invest in innovation, continuing to make the kind of economic investments that we're making, then I believe that our—we will see an improvement in our debt-to-GDP.

If we didn't make these kinds of investments, it would be a lot different because you would see—our economy would be a lot different. Our projections for growth would be a lot different if we weren't making these kinds of investments.

**Mrs. Stefanson:** Well, I'll ask the minister again because she said that, you know, she's confident that the debt-to-GDP ratio will decline and now she's saying over time. Well how much time?

\* (15:50)

**Ms. Wowchuk:** We expect the debt-to-GDP to be relatively stable. Certainly, it will be well below where it was in the '90s. It will be well below that, but it will be relatively stable. And what I did say to the member was that as—because we are making these investments, I am confident that over time it will grow. That's why we have a five-year plan in place. It will maintain—hopefully will maintain at the same level. We won't see it change very much, but I believe by making investments, eventually there will be a further improvement to our debt-to-GDP, and then we—and it will be at a better rate than it was in the '90s.

**Mrs. Stefanson:** Well, I mean, it's nice that the minister is confident that over time that the debt-to-GDP ratio will decline and, you know, that's what she said earlier. Now she's saying it will be stable. There are no bases for her to—for her comments that there is, you know, for the debt-to-GDP ratio to decline. She's not giving time frames; that's what I'm asking for. I'm asking for targets. There—you know, all she's—she goes—I know members opposite like to go back to the 1990s and talk about the 1990s.

But let's just talk about what's happening in the country around us, and if we look at—like right now—and if we look at Saskatchewan—and we've already talked about Manitoba's debt-to-GDP at 27 percent—and we compare that to Saskatchewan's core debt as a percentage of GDP at 7.3 percent, again, Saskatchewan is forecasting their debt-to-GDP ratio to decline down to 5.7 percent by 2014. But we don't have any targets to decline our GDP ratio. The minister is just saying no, no, well, we'll just—we'll stabilize it. Maybe over time—I don't know what kind of time though she's talking about—10, 20, 50 years. There is no plan, I think, is what the minister is saying, and I think even if we look and we need to compare ourselves to other provinces like Saskatchewan, because Saskatchewan—I remember when I was first elected to this Legislature, Saskatchewan was actually worse off than Manitoba.

The Manitoba NDP government could have made the decisions at the time and could have taken the necessary steps to improve our economy to—or to improve our debt situation, I should say, and the problem is in the good times they didn't pay down the debt, which they should have done. They increased expenditures significantly over the years, and that's why we're in the situation that we're in, and I think it's staggering that if you look at Saskatchewan's debt-to-GDP figure, when you include the Crown corporations, et cetera, the summary, they're looking at 14.3 percent as compared to our 45 percent.

So our debt will be based on a 2.5 percent growth rate, which is in the budget. Our debt-to-GDP ratio will be 45 percent and, you know, that is staggering. When we compare that to Saskatchewan at 14.3 percent, clearly, this government is not taking this situation seriously, and if they did take it seriously, they would set significant targets and stick to those targets. They would have a plan to do this. But what the minister is now saying is that, well, the debt-to-GDP ratio will be stable. Well, we're confident over time, but gives—but she gives no reason for why she is confident that over time that that will go down.

What are the bases for her comments today that the debt-to-GDP will decline, and when can we expect that to happen? Again, Saskatchewan is targeted 5.7 percent debt-to-GDP by 2014. What is our plan to reduce ours?

**Ms. Wowchuk:** I wonder if the member could clarify. She made a comment that our debt-to-GDP was going to be 45 percent and that's not making much sense. I'd like to know where she got that number.

**Mrs. Stefanson:** If you take into consideration the Crowns and other reporting agencies and its debt-to-GDP calculation, it would comprise 45 percent of our total economy. It's the 23.42-billion debt over the 2009 nominal GDP of 50.2 billion multiplied by 2.5 percent growth rate.

But, again, I mean, the minister is, you know—clearly, we are not competitive with other provinces, and particularly Saskatchewan. And I just want to indicate to the minister that the size of our debt is a serious issue. She has stated that she expects a decline. I'd like to know when she expects that decline, what the targets are, as other provinces are setting their targets.

**Ms. Wowchuk:** Mr. Chairman, I have spelt out for the member opposite that we have laid out a plan. We have laid out our plan that we are going to invest and—in front-line services and continue to do stimulus, so that the economy keeps going in this province. That's spelt out in our five-year plan. It's spelt out in our budget, as to how much we anticipate of a deficit we will have for the next four years, and then our plan is to come back into balance.

We believe that, by making those investments, our economy will grow. I think you can look at our record as a government, of how population of this province is growing, and, with that, there is no—new growth in the economy. And we anticipate that our debt-to-GDP will stay very similar to where it is right now over the period of this plan, but, as we stimulate the economy, as we see growth in our province, our debt-to-GDP will improve.

**Mr. Kevin Lamoureux (Inkster):** Mr. Chair, first off, I must say to the Minister of Finance, I was glad that she was inside the Chamber when we were having a discussion, or I was talking about the need for an emergency debate regarding the water bombers. And one of the things that I had raised was the issue of why it is that it wasn't in the budget document. And I do appreciate the fact that after I spoke, that she showed me in the document, and I do apologize to the Minister of Finance for making that assertion, not necessarily knowing that it was in the document. So I would acknowledge that right up front.

The question that I—I have a couple of areas that I would like to explore. One of them is the continuation of the whole issue of the new aircraft. When you have a department that has an expenditure of that nature, to what degree is the Department of Finance involved? Now, we'll use the water bombers as an example. Is the Ministry of Finance contacted? And they're told what? Does the Ministry of Finance do anything in terms of due diligence? Can you just explain to me what takes place when a major purchase of this nature is being requested?

**Ms. Wowchuk:** Absolutely. The Finance Department is involved when there is a proposal to make a purchase such as this. And I want to say to the member that I do support the decision to purchase new fire protection equipment. But, when that happens, the department that's making a proposal makes the proposal to Treasury Board, and it is reviewed by Treasury Board as to the expense—how it—what the costs will be, how it will be paid for.

Department of Finance, through the—so through Treasury Board. That's where the proposal is reviewed, and that's where the decisions are made as to—and it's weighed as to the merits of it, the benefits of making these kinds of investments, and then that's where the decision is made.

\* (16:00)

**Mr. Lamoureux:** Now, is there any work from the Department of Finance to, for example, pose questions? Like, it's good if you have a department that says, look, we would like to have four new aircraft. Is there any responsibility within her department to say, is there a need for the four aircraft? For example, would there have been documentation that would have been brought forward to Treasury Board or to the Minister of Finance that said that the other aircraft have to be replaced?

**Ms. Wowchuk:** Mr. Chairman, when a department has a proposal like this, they have to prepare a strong business case. In this case, the department would have had to bring forward a proposal and provide information as to the condition and the life expectancy of the existing water bombers that are there. They would have to bring forward a proposal as to the risks and benefits—of costs benefit of making these kind of investments or not making these kinds of investments. They would prepare that submission and it would go to Treasury Board and Treasury Board would do a thorough financial analysis as to the merit of making that purchase and would make recommendations then as to whether or not it should proceed. And then it would go to Cabinet for final approval or disapproval.

**Mr. Lamoureux:** In terms of what other jurisdictions, for example, would the government or Treasury Board be provided options? So, for example, you had a couple of other governments that decided not to purchase new water bombers. They felt it more appropriate to recondition and to rebuild in some cases because the cost was substantially less. Would the government or would Treasury Board be provided options on something of that nature?

**Ms. Wowchuk:** Absolutely. They would be—these are major purchases, major decisions, and all options are looked at. All options are analyzed. Decisions are looked at as whether—as to whether there is the ability to do further repairs or whether there is risk at doing repairs and carrying on with the existing or whether it is time to make the decision to move

forward with new purchases. All of that is given very, very careful consideration.

**Mr. Lamoureux:** In this specific case, for example, I am told that there were—and it could have been as high as 30 million, and I don't want to say it was 30 million—but there was substantial millions of dollars that were invested in reconditioning the current water bomber fleet.

Can the Minister of Finance either confirm that that is, in fact, the case, or what she can tell me about that?

**Ms. Wowchuk:** Mr. Chairman, I can't confirm the exact amount, but I can say to the member that each year—each year—there is—you have to make investments in our fleet, whether it be the water bombers or other aircraft or other equipment that we have. We have to make investments to maintain it, and at some point you have to make a decision, which we did. It was: Do we continue to make those kind of investments in repairs, or do we make a decision to move forward and make investments in new equipment? That was weighed very carefully—the presentation brought forward by the minister and then by our competent staff—because we have people who can do the analysis much better than I can. And then they make recommendations to us and then—we then, from there, make a decision.

That's what happens. This is—decisions like these are not decisions that are made just like a flip of a switch—say, okay, today, we need new water bombers. That's not how it's done. I've been on the Treasury Board for 10 years, and I, although I can't recall the exact amounts, every year there is a need to ensure that we maintain this fleet.

Why is it so important? We have a forest-based province here. We have many people that live in forested areas. I can say to the member that when the forest fire was on in my area, and I don't remember the exact year, those water bombers played a very important part in protecting our community. There was another small community where people had to be evacuated from but the water bombers saved those homes.

In northern Manitoba—in the north where there is not—it's the only way that we can protect our forests.

And our province is a little different. You can't compare every province as if it is the same. Ours is a little different, where we have some very remote communities, where we have a lot of forest and we have to ensure that we do have that kind of

protection. That was why we made the decision that we did with these water bombers.

**Mr. Lamoureux:** Now, yesterday, in question period, the Premier (Mr. Selinger) indicated that it was part of the stimulus program. Can I just get confirmation from the Minister of Finance that this is, in fact, a part of the stimulus program?

**Ms. Wowchuk:** I don't recall exactly what the Premier said and, certainly, I'll have to look at those comments.

But you know, this is part of our—this is part of the—this is the decision that we made and I do think that it is a very important part of our economy.

If we have a forest fire, if we are not able to protect our forests, we lose far more in revenue than the cost of those planes. If we do, a lot of people's lives can be put at risk if we don't have the right kind of protection, and that's why we're making this investment.

And I will have to look at what the Premier's comments were because I don't recall them.

**Mr. Lamoureux:** Actually, I've asked the page to go and get the *Hansard* so I'll be able to read exactly how the Premier worded it.

Can the minister indicate how many jobs would she be expected that'll be created as a result of the purchase of these four aircraft? [*interjection*] Not protected, but how many are going to be created as a result of purchasing these four new aircraft?

**Ms. Wowchuk:** What we have to look at is what I said previously. These planes, these water bombers, play an important part in protecting communities, in protecting lives and protecting forests in northern Manitoba. That forest is a very important part of our economy. Many people work in the forest industry. Forest is also an important part of other parts of our life, whether it's in tourism or the capture of carbon. The forest is very important. But, more importantly, it also is about protecting people's homes and saving people's lives.

So it's very hard to put an actual amount on how many jobs will be created. For—you know what? I have to tell the member, I hope that we never have to use these water bombers. And I'm hoping that he can criticize us for making the investment in these water bombers and they're never used. Because the best thing that could happen to us is that we don't have a forest fire and the member opposite gets a chance to criticize us because this is a bad investment.

\* (16:10)

Unfortunately, I don't believe that's the case. Every year we have forest fires. Every year we have fires. Every year communities have to be evacuated. So those—you have to look at it in that way. There will be—when there is a fire, there will be a few more pilots that will work to fly these pilots—fly these planes to protect those communities. But the real economic driver is in what is saved and what the—and the communities that are saved.

**Mr. Lamoureux:** Mr. Chairperson, you know, if you listen to some of the heckling coming from across the table from her New Democratic colleagues and the response from the minister herself, you would think we don't have water bombers currently. The current batch of water bombers are, in fact, fighting fires. In the past number of years, they've been doing a wonderful job. We have maintained that water bomber fleet for a number of years.

You know, it's interesting to see how exercised different members of the New Democratic caucus are on this issue. I think maybe it's because they're a little sensitive that maybe this was a political decision that was made. I have full confidence in the civil service. What I don't have confidence in is when a government makes a bad decision. And just because, you know, someone said, well, what kind of car do I drive? Well, you know, if I have a 1995 Chevette that's working well and going from point A to point B and there's no need for me to get a brand-new Corvette, well, you know, if it's working, why not?

Now, I don't drive a Chevette; I do have the Cobalt. But anyway, the point is does the Minister of Finance have anything that she could share with the committee that would clearly demonstrate that those—the planes that we currently have, have to be replaced—that, if they were not replaced, that the forests would be in a greater danger. Because, you know, the Premier, I think, said, well, these planes are faster. Well, you know, when you're flying over the forest, it's not necessarily the speed as much as a controlled situation when you actually do the water drop, right?

So, you know, if the planes that we currently have are doing the job, and I would suggest to you—and the Premier even said it in one of his answers, that we have wonderful maintenance on these planes. Other jurisdictions have cancelled their projects because of the economic times, in part, and because of stimulus, you know, they're actually retrofitting,

they're keeping up with the maintenances and so forth, which actually does create local jobs. So I would, you know, ask the minister: Does she actually have anything that clearly shows that those planes had to be replaced?

**Ms. Wowchuk:** Mr. Chairman, as Minister of Finance and Minister responsible for the Treasury Board, as Chair of Treasury Board, I am confident that the case—business case made by the Department of MIT to purchase these new water bombers was a sound business case, and the member opposite may want to get into further details on this with the minister responsible when those Estimates come up. But I will say to the member that, you know, he talks about whether these—our bombers are good. You have to think into the future as well. We have water bombers that have been there for a long time. They have been repaired. Yes, those water bombers will be used for this year's season, because the new ones aren't here. But we also, as a government, have to think into the future. These water bombers don't come overnight. You have to order them. They have to be built and we are thinking about future years, and that's why we have made the decision to make these investments.

Now, the member opposite talks about—he doesn't think that speed is important. Well, I want to say to the member that if you live in the north and if you live in a remote area and you have to get water bombers there quickly, you're thinking about people's lives and our community, speed is important. So, when you have to get new planes to replace some that are quite, quite old, then you do have to look at additional things. And one of the assets of these is that they will be able to carry more water and that they will be able to get to the fire quicker and will be able to save more people, more communities and more forests.

**Mr. Lamoureux:** And, you know, if we applied the same principles of your argument in other government expenditures, health-care budget would balloon even more than it is, given all the technology that is out there, you know.

I suspect that there's a whole lot more 16-year-olds that would be rather driving a Corvette than a Cobalt. You know—like, is it necessary? Does the province of Manitoba need to have? There's a difference between wanting and needing, Madam Minister, and I don't believe—and I look forward to receiving something from this particular minister, or other ministers, that clearly show that these planes

were falling apart and that you couldn't fix them like other jurisdictions were doing.

There's a lot of—there's a difference between wants and needs and I would highlight that. Now we did get the quote from *Hansard*. Here's what the Premier (Mr. Selinger) said: This is a good investment. This is time to think forward. It's part of our stimulus program and I know the member voted opposite but I know he's going to try and fly out of Manitoba—for whatever reasons he would say that, I don't know.

But, anyway, Mr. Chairperson, you can see that the Premier is clearly indicating that it's a part of the stimulus program. What I don't understand is how many more jobs is this going to create, directly, given that, I suspect, that there were more maintenance jobs in regards to what we currently have. Like, are we going to be hiring more people to service the newer aircraft?

**An Honourable Member:** Forestry jobs, Kevin.

**Mr. Lamoureux:** No, because they're going to put out the forest fires faster, apparently.

**Ms. Wowchuk:** And, indeed, wants and needs are different things and all of those things are weighed when we do the—this is an issue that we look at very carefully and it's certainly not about wants. It's whether we need it and there was a solid business case made, the Treasury Board analyzed very carefully and a decision was made that it was a worthwhile investment.

And as the Premier said, it was a good investment. It's a time to think forward and indeed we are thinking forward because we do know that at some point some of the equipment that we have is beyond the age that is—will do the best job, and we are interested in protecting those jobs that come from the forest industry. We are interested in protecting communities and people that live in many of the forested areas.

And history will show us that the—this kind of—forest—water bombers are very important and that we—and we have made a commitment that will improve that quality of protection for the people of Manitoba.

**Mr. Lamoureux:** Mr. Chairperson, I do want to move on, but I want to emphasize the fact that this is indeed a want from the government. It is not a need, and to say something otherwise, I believe, is doing a disservice to the professional civil servants that are

there, that if, in fact, we took a look at other jurisdictions we're saying to those, and others, that the other provinces were wrong in making their decisions.

I believe that you have invested millions of dollars in maintenance over the years in these water bombers and there's no indication that by continuing with that sort of investments that we would've been able to continue the current fleet.

And had the government done that, it would've left a lot greater resources, greater resources to deal with the record highest deficit, greater resources to deal with the real needs, such as kids that are starving in Winnipeg's North End, in other jurisdictions in Canada that rely—or in Canada—in Manitoba, that rely on food banks. They would be able to address the real needs of children that are dropping out of our schools. They would be able to address the real needs of safety in our communities. It would address the real needs, in terms of seniors and health care, and this government made a decision and the decision was to support individuals like the member from Thompson, and others, within the New Democratic caucus that felt that it was more important to have this one want, to have their time in the sun, saying that we're going to fight the forest fires.

\* (16:20)

Well, the previous aircrafts were doing a good job, and if it the wasn't the case, you know, Saskatchewan's a lot wealthier nowadays than the province of Manitoba. Newfoundland has greater potential now because of the way in which this government's been running our province than the province of Manitoba, yet they went and they cancelled theirs, and they're prolonging their current stock of water bombers.

You know, it was a political decision that was made, based on a want, and I suspect that it would have been a whole lot better to have dealt with the needs of Manitobans.

Now, I'm going to quickly go onto another area, and first—I didn't realize the minister would like to respond.

**Ms. Wowchuk:** Well, you know, I find that quite an interesting statement, and I'm—and I know that my colleagues from rural and northern Manitoba will take those comments and share them with their constituents to show that the member from Maples has no interest whatsoever and has no value—member

for Inkster, I'm sorry—has no value for the contribution of the forest industry to this economy, has no value for the people that live in the north and rural area.

I can say to the member that, you know, in my part of the province, in the agriculture areas, having a—water bombers is also very important.

And, I guess, Mr. Chairperson, we will have to agree to disagree about whether this is a want or a need. I would have more respect for the Treasury Board and Treasury Board analysts and the staff in this department when it comes to making these kinds of decisions, and I can tell you that these kinds of decisions are not made lightly. These kinds of decisions are made taking into consideration the business case and the value, and I am proud that this government has been able to show respect for another part of the province, besides the city of Winnipeg, and say, yes, these are valuable resources and these are important people that live in these areas, and we are going to make investments to ensure that they are protected too.

**Mr. Lamoureux:** Mr. Chairperson, how brave we are when we sit in a committee room and we have NDP MLAs that have a larger number than other MLAs.

And, you know, it would be wonderful to see the Minister of Finance to come out to Weston or Brooklands and sit in front of a group of people and argue that the wants of four brand-new aircraft is more important than the needs of a community health clinic. But, you know something, Mr. Chairperson? The Minister of Finance won't accept that challenge.

You know, and I know—why? Because then they're out of their comfort zone. You take a New Democratic member, any NDP MLA that's sitting around this table, any NDP MLA sitting around the Chamber, and take them into a public meeting where their ideas—and, in this case, won't fly.

You know, you can clip and cut whatever you want out of *Hansard*, and you can try to distort whatever you want when you send out the propaganda. One of the things that I've got to know is the NDP are second to no one in pushing out propaganda—second to no one.

I understand the way the New Democratic Party works in this province and, I'm telling you, Mr. Chairperson, with all due respect to the Minister of Finance, I would welcome the opportunity in any

sort of a public forum—truly public forum, you know, to be able to—*[interjection]*

And, you know, the member for Transcona (Mr. Reid) says, wait till the forest fires. Have I got news for you. We already have water bombers. You know?

You know, it's the type of thing in which if you're so confident in your decisions, why won't you come and debate it in the public? If you're that confident in your decisions. Because, Mr. Chairperson, because they know they wouldn't stand a chance in that debate.

And I see the Minister of Finance would like to add a comment to it.

**Ms. Wowchuk:** Mr. Chairman, I would—I just want to say to the member that I would be careful of propaganda, because I would compare—I would like him to compare my expenses on propaganda to the—his expenses and the amount of mailing that he has done. I would compare mine to his any time.

The member opposite is going down a path that's quite ridiculous. This government has never been afraid to defend their decisions. We have every opportunity to defend them. The member opposite, first of all, missed the opportunity during the budget speech because he didn't read the budget. He stands up in the House today—and he's apologized already—he said, oh, you—and I commend him for apologizing—but he says in the House today, oh, this is an emergency because they never even talked about it in the budget. Well, now he's gone back and he sees that it's there. It's not something that has been hidden. It is a decision that government has made, and he can have his views on it and if he would like further details on this I would encourage him to raise them in the MIT budget where they will—Estimates—where they will have more details.

**Mr. Chairperson:** Just before I recognize the next speaker, I will remind all members that we're supposed to be debating Estimates of the Department of Finance, and I recognize all the comments have been at least loosely associated with that, but if we can try and keep our line of questioning and answering on the topic at hand, that would be appreciated.

**Mr. Lamoureux:** You know, in just in response to what the Minister of Finance has said, I'm sure if she takes a look in terms of amounts of dollars spent on propaganda and mail and so forth, I suspect that the Minister of Finance would lose on that particular

point too. I can assure her that she sends out a great deal more propaganda and spends a great deal more on tax dollars on NDP propaganda, Mr. Chairperson, than I do on any sort of information that I circulate to my constituency. In fact, I would even be interested in seeing some of her materials, and, you know, I would welcome that comparison. But having said that, I would like to invite the Minister of Finance, if she is indeed so confident. And I put it, you know, straight to the minister. We can go into Burrows. It's an NDP-held constituency. Would she be prepared to come to a town hall meeting in the constituency of Burrows to talk about this particular issue? If she's feeling comfortable with that, I think that it would be an appropriate thing and I'm sure we can get her colleague the NDP member from Burrows to actually host the meeting, and the two of us can discuss this particular issue. If she's that confident, I'm sure she would say yes.

**Ms. Wowchuk:** Mr. Chairman, I think you've given us direction that we should focus on the budget, and I would look for a question from the member.

**Mr. Lamoureux:** Well, technically, there was a question there, but the silence is the answer, I guess. True to form. Spending \$126 million is definitely related to the budget, to the member of Wellington, you know. Mr. Chairperson, the Minister of Finance—and it's an open challenge; she's welcome to come out any time if she wants to reconsider it. I welcome the opportunity to be able to engage her in a public way where she doesn't have her caucus colleagues around her. Actually, they can—they can actually attend too, if they so choose. I know they—I know she needs you.

But, anyway, equalization payments: Can the minister give an indication in terms of—and I suspect that there might be some graphs within the budget documents—but can she give an indication as to how much of an equalization payment the Province would have received in 1988, in 1999, and the current figure today, which I know the two of them are likely in the document, but if she could just indicate what they are I'd appreciate it.

\* (16:30)

**Ms. Wowchuk:** In 1988, the payment was 795 million. And in 2010-11, it was 2.002 billion.

**Mr. Lamoureux:** And the '99 one also?

**Ms. Wowchuk:** In 1999-2000, it was 1.219 billion.

**Mr. Lamoureux:** That was 1.219 million—billion? *[interjection]* Okay. Does the department have any sort of a projection as to what the equalization payments will be over the next five years?

**Ms. Wowchuk:** There has—well—from the comments made by the federal minister when he set this year's equalization payment, he said that he was not planning to balance his books on the backs of the provincial governments. So I—we are anticipating that equalization payments will stay at a similar level to what they are now.

**Mr. Lamoureux:** So when you're making these long-range forecasts, in terms of your—the provincial debt, and you say, for example, I think, in the year 2014-2015, it's \$146-million debt that the Province is going to have—annual deficit? *[interjection]* Okay. Does that take into consideration what size of an equalization payment?

**Ms. Wowchuk:** Our projections are that total transfer payments will be stable.

**Mr. Lamoureux:** A big concern in terms of—I'm not necessarily looking at total transfer payments. I'm specifically looking at equalization payments for now. Are—is that, then, to—in the projections that you have made for the up-and-coming years are based on Manitoba receiving a minimum of \$2 billion in equalization payments? Is that a fair comment?

**Ms. Wowchuk:** The federal government looks at the total package of transfers as one big package. Whether it's equalization or transfer payments, they look at—as one number. And that's how it came to us this year and that's what we're anticipating in the future years and we're anticipating that it will—that amount will stay fairly stable.

**Mr. Lamoureux:** Okay. My understanding and do—and please correct me if I'm wrong, is equalization payments come as a separate line item and that line item is ultimately determined in terms of how each of the—each one of the 10 provinces and territories are doing, economically. Is that not right, or is my explanation correct?

**Ms. Wowchuk:** That's partly correct. But there is also a different formula for the health transfer, there's a different formula for the social transfer and the federal government looked at it in all of one envelope this year so that it would be maintained at the same level.

**Mr. Lamoureux:** Okay. I guess, you know, I'm not a 100 percent sure if it's constitutional, but I—again, I



just want to focus just strictly on equalization payments because that is something in which I know over the years has been a major source of income for our province, and it will have an impact going forward.

My understanding is that if Manitoba's economy performs relatively well in comparison to the rest of the country, typically one could anticipate that our equalization payments could go down. Equally, if the Ontario economy does not do as well, there will come a point in time in which they will be more reliant on either receiving equalization payments or not being able to contribute more into that equalization fund, and their economy has an impact in terms of the equalization payment that ultimately would come to Manitoba. Is that not correct?

**Ms. Wowchuk:** Mr. Chairperson, the federal government did make some changes in '07-08 in— as to the equalization program, and we went from a five-province standard to a 10-province standard, so.

But the member is right as well. Ontario's economy has changed dramatically and that—they are—they don't—in this 10-province standard now, they don't have as big an influence as they used to in changing the numbers. But there is a cap on the formula right now and only—and we have to—the federal government has, as I said, put a cap on it and that—we have to work within that capped amount.

And if our—if Ontario—Manitoba's economy is relatively strong right now and has been over the past several years, and this could also contribute to some lower—as our—if our economy is strong and somebody else's is weaker, it could result in lower payments for us.

**Mr. Lamoureux:** You see, and that's the essence why I posed the question a little bit earlier in terms of when you have calculated the annual deficit projections over the next number of years, what do you base it on in regards to the equalization payments?

You know, during the '90s, I believe there was—there's been points in time in Manitoba's history where we've actually had a reduction in equalization payments, and I suspect that that could happen again, and that's the reason why I ask: On the equalization payments alone, is the government anticipating, based—has the government based its deficit projections on a \$2-billion equalization payment?

**Ms. Wowchuk:** Actually, there has already been that change, and this year our amount was \$60 million

less than the previous year and would have declined further, but the federal government said that they would maintain us at that level.

\* (16:40)

**Mr. Lamoureux:** I suspect the minister might not necessarily have this answer at her fingertips, but does she actually know how many or what sort of equalization dollars Saskatchewan receives? I understand that it was supposed to be classified as a have province. Does it actually receive any equalization payment?

**Ms. Wowchuk:** Saskatchewan no longer receives equalization payment, but their total transfer on the other, on the health and social transfers, were topped up this year as well, so that their level of payment was maintained at the same level.

**Mr. Lamoureux:** Now I, again, you know, I can only reflect on the last few years. You know, the actual numbers I don't have in front of me. My understanding is is that Saskatchewan, Alberta and British Columbia are the three provinces in western Canada that do not receive equalization payments.

Previous years Ontario didn't receive it. I'm not too sure in terms of Atlantic Canada. Does the minister know which provinces in Atlantic Canada currently receive equalization payments?

**Ms. Wowchuk:** All the provinces, eastern provinces, receive transfer payments, except Newfoundland. But Newfoundland has a special off-shore accord that for their—the oil resources there that results in payments for them.

**Mr. Lamoureux:** I don't know if, again, it wouldn't be in the—I don't think it would be in the budget documents, but do we have a sense, if I was to try to rank Manitoba in comparison to other provinces in regards to the equalization payments based on a per capita, is it safe to say that we would be in the top three? Do we know where we actually place on a per capita? Do we receive more money than any other province in Canada? Does the Ministry of Finance have stat on that?

**Ms. Wowchuk:** We are in the top three of receiving payments, but that's quite misleading just to say it's—we are in the top three. There is a lot of things that are taken into consideration. Things that are taken into consideration are the small population we have and the distribution of this population over a very large area. The demographics of a province are taken

into consideration, and all of those play into the calculation of what our payment is.

**Mr. Lamoureux:** Does the government anticipate at some point in time that Manitoba will be in a position in which it could be classified as a have-not province—I'm sorry, as a have province in regard—with respect to— because we all love our province and so forth?

I'm just talking specifically in regards to equalization payments where Manitoba would actually be contributing as opposed to withdrawing. Does the government have any sense of if that is a scenario that is likely to happen in the next 10 years, five years, 15 years?

**Ms. Wowchuk:** Well, again, I will say what I said yesterday. I think it is wrong for a Manitoban to characterize Manitoba as a have-not province. You have to look at all that we have.

We have some of the lowest costs of living. We have tremendous resources. We have the lowest energy rates. There are many assets that we have in this province, and I think it's—I believe very much that it's wrong for a Manitoban to say we are have-not.

Where does the money come from? The federal government taxes every province at the same rate. That's where this money comes from. It is the—federal dollars that come from the federal tax and then the federal government distributes this money to bring some equity across the province.

The only provinces that have come out of equalization are those provinces that are high-resource basis and when they're high-resource basis, they're—they can have a big fluctuation, and there are times when resource-based provinces also have a decline in their resources and may have to look for equalization.

The other way that they come out of it, equalization, is changes to the formula that the federal government has made. So I do not look at Manitoba as a have-not province. I look at Manitoba as a province that has some different needs. We have a low population distributed over a large base. We have some demographics that are different than other jurisdictions and that is why we work into the formula.

We do not have the resource base. But you have to remember, too, that we pay taxes on all of these resource-basis-based products that we use here in

this province. So Manitobans contribute. Manitobans contribute and part of the—part of equalization is that so we have more equity across the country.

You know, is—if Manitoba had more of a resource-based economy, then we could say, yes, there could be a change. But I am—I'm not looking for the federal government to change, to say we don't—the federal government collects these taxes. There is a formula in place. It brings equality, a partial equality, across the country, and I hope that, as a nation, we continue to recognize that our—there are some different needs across the country and that, as a nation, we are able to share in the well-being of all Canadians.

**Mr. Lamoureux:** You know, I like to think that it's not necessarily about, you know, raising the Manitoba flag and waving and saying, who loves Manitoba the most? For the sake of argument, I'll say that we all love Manitoba equally and quite passionately.

Having said that, equalization payments is a redistribution of wealth. That's the essence of equalization payments, and Manitoba is more dependent than most provinces in terms of receiving the equalization payments, which means we're more dependent on Ottawa than other jurisdictions, if we want to be able to provide, you know, the same sorts of services, and so forth, potentially, same type of—or same sort of a Treasury, if I can put it that way.

\* (16:50)

Ultimately, the question to the minister is, is that, you know, does the NDP have or foresee any opportunity into the future that will enable us to contribute to the equalization fund as opposed to withdraw from the equalization fund? Is there a scenario that the Minister of Finance can see in the future that would allow us to be a contributor to the equalization?

**Ms. Wowchuk:** Manitobans pay federal tax just like everyone else, and the federal government then makes a decision on how to distribute that money in order to bring equality across—more equality across the nation. And so Manitobans are contributing, and then the federal government, who has that responsibility, makes some decisions on how we can bring equality to people that live across the province.

Will Manitoba's revenues increase? If you look at the provinces that have had a great increase, they are more resource-based provinces. They are provinces that have oil. Saskatchewan's revenues

increased because of the potash development. We don't have—we have an oil-based industry here that's quite small—although it creates some revenue for us, quite a bit of revenue—there's been growth in past several years, it is not comparable to the oil industry in Alberta, and we do not have the potash industry that other jurisdictions in the west—Saskatchewan has.

Will Manitoba contribute? Manitoba is contributing right now because we all pay federal tax, the way everybody else does.

**Mr. Lamoureux:** There's no question that we all pay into the federal government, just some provinces withdraw more than they pay and Manitoba, for example, draws \$2 billion. Saskatchewan doesn't draw anything. So, the idea is is that does the government foresee a time in the future in which Manitoba, relatively compared to other provinces, will not be as dependent on Ottawa in terms of receiving equalization payments?

You know, that's the essence of the question, and I don't know if the minister wants to attempt to answer that specific question. Like, I'm thinking, does she see this happening? Or does she see it's not necessarily foreseeable in the future? You know, unless we find a super gold mine or something of that nature, that it's not going to happen. That seems to be the response that the minister is implying in her answer.

**Ms. Wowchuk:** Mr. Chairman, we have put out our five-year plan that we did in this budget, and during this time period we do not see significant changes in the transfer payments. We anticipate that things will—and I say that because of what the federal minister said. The federal minister said he wasn't going to be balancing his books on the backs of provincial treasuries. So I anticipate that we will stay very similar, but at the same time, I expect to see some growth from the stimulus that we're investing. I expect to see growth in Manitoba from the population growth that we're having. I'm hopeful that we might see some new resource revenues in this province from the mining industry.

**Mr. Lamoureux:** Does the minister have anything from Ottawa in the forms of an MOU, any other type of agreement, or something in writing that deals or provides assurances in regards to the future of equalization payments?

**Ms. Wowchuk:** There are agreements on the Canada Health and Social Transfers that are in place until

'13-14. There is an equalization formula that is grown by—driven by the growth in the Canadian economy, and that's how that's determined. But I'm counting on the word of the Prime Minister and on the word of the Finance Minister that we will not—they will not balance their books on the backs of the provinces, and I'm hoping that they don't, that they live up to that word and they don't do what the Liberals did in the '90s, which was significantly cut transfers to provinces.

**Mr. Lamoureux:** I'll resist the comments in regards to the '90s, given the fact that I thought that Paul Martin was perceived all throughout the world as one of the best ministers of Finance that Canada has had.

But, anyway, having said that, the health transfers—payments, can—does the minister—can the minister provide much like with the equalization payments, what they would have been in 1988, 1999 and, I know it's in this year's budget, but if she doesn't mind providing that number too.

**Ms. Wowchuk:** I hope I'm answering this one right. In 1999-2000, the health and social transfer is in one total number, and that was \$587 million. In 2009-10, it was 1,000—1 billion 297 thousand—million—1 billion 297 million—

**An Honourable Member:** Did you have the '88?

**Ms. Wowchuk:** Mr. Chairperson, '88, no, no we don't have '88. There was no payment in '88. The program started in '96-97. It was a different formula then, so we only have numbers that go back to '96.

**Mr. Lamoureux:** Now, in terms of these transfers, the health transfers and social services transfer, how is that put into an agreement? Like, is that a formal legislation from Ottawa? Is it—was it agreed upon at a First Ministers' conference? How did that come into being, realizing that it was done in the '90s?

**Ms. Wowchuk:** The social, health transfer came into place in 2004, and it was an FPT agreement, after—it came out of an FPT—federal—Health ministers—it was called the Health Accord, and that's where—that was a discussion between the federal and provincial. So CHT, 2004, a health agreement. The social transfer was—the social transfer came out of a 2007 federal budget, and it was a federal, this budget, but it—there was no—there was extensive discussion, but there was no agreement. It was a federal budget.

**Mr. Chairperson:** The time being 5 o'clock, I am interrupting proceedings. The Committee of Supply

will resume sitting tomorrow morning at 10 a.m. See you then.

### EXECUTIVE COUNCIL

\* (14:50)

**Madam Chairperson (Marilyn Brick):** Order. This section of the Committee of Supply has been dealing with the Estimates of Executive Council.

Would the First Minister's and the Leader of the Official Opposition's staff please enter the Chamber.

Similar to the last couple of days, we are on page 29 of the Estimates book. As previously agreed, questioning will proceed in a global manner.

The floor is open for questions.

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Madam Chair, we've got about an hour and a half left today and have a number of questions in a variety of areas.

One I want to just deal with up front is a matter that I had some opportunity to discuss with the First Minister's predecessor, Mr. Doer, in prior years' Estimates, relating to a significant issue, a long-standing issue that was most recently raised by the Manitoba Real Estate Association with the Premier's office, and it relates to the situation that resulted in the loss of the Fort Garry Hotel by the Perrin family.

And just to very quickly summarize the background to it, which takes us all the way back to the early 1980s, and so I'm not asking this to be political. There have been different governments in power over this period of time. But in some, what happened was that there was a flawed assessment process in place which resulted in a tax bill that was more than 10 times higher than the amount that a subsequent municipal board thought would have been accurate. As a result of that tax bill, and the very understandable challenges faced by the family and the company to pay that bill, the family lost possession of the hotel.

The mistake was subsequently acknowledged, if only implicitly, by the Pawley government, when they made amendments to legislation, to try to prevent a similar injustice occurring in the future, but there was no action taken to retroactively deal with this very significant infringement of the rights of the Perrin family.

And there have been a lot of steps taken. Without getting into all of those details, most

recently, Mr. Perrin, who is today with us in the gallery, wrote to the Premier in January of 2010 requesting a meeting, and that request was denied. And then, on February the 17th, 2010, the Manitoba Real Estate Association wrote a letter to the Premier outlining their concerns about this—the process and the lack of remedy to date.

The underlying issue, of course, is just the extremely punitive and arbitrary administrative approach taken to violating property interest of the family in the hotel.

And so I wonder if the Premier can just indicate whether he is familiar with the issue, and whether he can take a step toward turning the page on this story by addressing this outstanding injustice.

**Hon. Greg Selinger (Premier):** Well, clearly, I'd have to get briefed on the details of this issue and understand it better. So I can't say that I'm up to speed on all the particulars. And it sounds like this issue's been going on—if the member is correct—it sounds like it's gone over 25 years.

I guess my question would be: What happened when you guys were in government? What did you do about it?

**Mr. McFadyen:** I thank the Premier for that very partisan response.

What happened was that the family was going through various appeals and other legal processes for many years subsequent to the original action, and it only exhausted all of those opportunities because of a very literal interpretation of the statute as it then existed. Those were eventually exhausted, and, ultimately, the family made a decision to appeal directly to government for a rectification of the issue. At some point, I believe, and I stand to be corrected on this, but I believe that the family originally started appealing to the political level of government at some point after 1999.

**Mr. Selinger:** I'd have to get advice on the specifics of this and understand the situation and find out what our legal counsel would say, with respect to what remedies or what alternatives or what they would recommend on how to deal with this.

**Mr. McFadyen:** And I would just point out that it really isn't a legal question we're dealing with. The law has made lots of unjust decisions in the past, and the Premier knows that well. He has spoken on many occasions about unjust laws and their impact on people through history at different times. And so it

really isn't a legal question at this point. It is fundamentally an issue of natural justice, and that was highlighted by the Manitoba Real Estate Association in their letter.

\* (15:00)

And I would just ask the Premier as a starting point to review the February 17, 2010, correspondence he received from the MREA and also to discuss the issue directly with Mr. Perrin just as a starting point, and I don't—again, I'm not asking this to be partisan about it. It was—his predecessor was well aware of the issue, and I would be surprised if he was personally engaged or involved in any of these decisions over the years, and now that he occupies that office we're asking him for the first time to get briefed, ask himself whether or not this is a just result, and if he concludes, as I think most would, that it was unjust, to take steps to try to remedy the injustice.

So let me just ask a specific question. If he would review the February 17, 2010, letter and, secondly, would he today after Estimates—Mr. Perrin can be available—would he take a couple of minutes just to speak with him to get a quick overview of what transpired?

**Mr. Selinger:** I will review the letter and I will spend a couple of minutes with Mr. Perrin after our discussion today as long as it ends in a timely fashion.

**Mr. McFadyen:** I thank the Premier for agreeing to do both of those things, and I think that he'll find that Mr. Perrin can summarize it in a reasonable amount of time and that the letter from the MREA and some of the other background documentation will be relevant.

I would also refer him to a *Free Press* story that was done about this. The headline—and, I'm sorry, I don't think I've got it in front of me—the headline in the story was—made reference to the injustice of the situation and so it's one—it's a story that the media has followed. There's really no dispute among any reasonable people as to whether there was an injustice. The only issue is that the court system and the legal system was unable to resolve it, and that leaves it to the political leadership to do that, and so I'm not suggesting that he was the one who perpetrated the injustice, but he has an opportunity I think to resolve it and I think would earn the thanks and respect of many people if he's able to do that.

I take it from the silence that he's interpreting that probably quite correctly as a statement rather than a question, and I will then as a result of that move on to some questions and again thank the Premier for agreeing to take those steps.

I want to just bring the Premier back to some of the new information arising, coming through the media, with respect to the Lanzellotti case and the 24 breaches of his court order that was reported today and ask him again—because he said yesterday that there were other cases—if he can just indicate how many similar cases there are to this one.

**Mr. Selinger:** Again, as I said yesterday, the focus has been on improving the ability to manage risk within the probation system, and there's a—in the last year they've implemented a new model that identifies the risk profile of the individual people under their jurisdiction and looks at how to allocate resources to those that have the highest risk of reoffending, or what is often called recidivism, and ensures that the resources go there to protect the public from those folks that would be at the greatest risk of offending or violating public security and safety.

So that's the decisions that are made by the probation service based on the new methodologies they use to assess risk.

**Mr. McFadyen:** I want to ask the Premier if it's his belief and the belief of his Justice Minister that holding a meeting between the—among the chiefs of police and probation services and the minister is the right way to move forward on this issue.

Why did they wait until today to announce it, and why as of question period hadn't steps even been taken to organize that meeting?

**Mr. Selinger:** Well, as I said in question period, since 2008, when this incident occurred, there had been stepped-up efforts to reduce auto theft, and that resulted in a 38 percent decrease in auto thefts since 2008 and a 75 percent decrease since 2004, and attempted auto thefts had also gone down 60 percent since 2008. So it's not like people were not trying to improve the protection for the public.

In addition to that, they decided to overhaul their probation practices on how they allocate resources to high-risk individuals, and they've moved away from a system where all cases were more or less treated the same within a narrow set of discretionary boundaries to one where they move resources to those people that have the highest risk profile, and the highest risk profile to the public for safety and

security, and do some much more intensive monitoring. And, for example, level 4 auto thieves can be subject to GPS monitoring where they can be checked in on on a regular basis, including every three to four or five minutes, depending on what's necessary.

So there have been some very intensive methods put in place to monitor people that are perceived to be a risk or assessed to be a risk to the public.

**Mr. McFadyen:** The immediate step that could be taken by the government would be to direct that there be a zero tolerance policy for high-risk offenders who are known to be in breach of their probation orders—contrary to what the minister said on the radio this morning about zero tolerance for a kid who's five minutes late for school, which is something we would never have said or suggested.

What we've said is that for high-risk offenders who are in breach of orders, there should be zero tolerance first breach, and action is taken and consequences follow. It doesn't mean that jail is always the outcome, but consequences in every single case on the first breach.

Why won't they issue that directive to their department?

**Mr. Selinger:** We've made some progress here because that's not what we were hearing before. We were hearing zero tolerance on everything.

But, if the member is saying that there should be much more vigilance and much more monitoring and much more effective control over high-risk offenders, we agree with that, and there should be consequences, and that is why they brought that new model in place in the last year, that new model of looking at high-risk offenders. And so the approach that's being taken is based on good research that shows that these types of methods get results and is one that says that those methods should be employed to ensure public safety.

So the member may have a very specific recommendation within that, but it's the whole approach that counts, and that was what was found to be successful with auto theft suppression, that they took a multipronged approach to dealing with auto theft suppression, and that included greater monitoring. That included greater interventions by police and by probation officers. That included, in some cases, electronic monitoring. That included opportunities for counselling. That included opportunities to change their lifestyles and engage in

more constructive activities. So there's a whole range of interventions depending on what level that individual was assessed at in terms of their risk and their readiness for change.

And so it's a comprehensive approach that Probations and the auto theft strategy has followed. And the success of that has been documented and reviewed by folks—criminologists—and has received strong reviews across the country and has been adopted elsewhere as an example of how to do things. And so we want to build on that strength. We want to build on that strength of the success that's been achieved in auto theft suppression and we want to transfer that not only to auto theft situations but people that are at risk to the public for other types of activity—negative criminal activity.

So, if the discussion is now how do we ensure that people that are at risk are prevented from doing things that are negative to public safety and security, I think we're coming to a better understanding of what our new method is in the department of Corrections and Justice and Probation. It's a method that focuses on high-risk behaviour, gets a clear idea of the individual's capacity for bad behaviour that's a problem for the public in terms of safety and security, and then moves in to suppress that and intervene within that and redirect that and correct that. And where there are breaches of that, there are consequences.

\* (15:10)

**Mr. McFadyen:** And just—the Premier made a factual error just in characterizing our position and just ask him to go back and reread what we said, because he'll probably want to correct the record on that point, on the zero tolerance policy.

But I would just ask him, the recommendation that we're making, and that seems to be logical in these situations, is to have a zero-tolerance policy for anybody who's deemed high risk when they breach an order, a court order of any kind. And, by zero tolerance, what we mean is that a consequence follows in every single case, and the consequence has to be proportionate to the action and the level of risk. But that doesn't necessarily have to end at high-risk cases. In other cases that are not yet deemed to be high risk, our view is that there should be consequences in those cases, as well, in virtually every case, but the consequence has to be proportionate, and that's the position we've taken and I'm not sure why they just won't indicate whether they're prepared to issue that directive.

Consultation with other provinces, conversations with police chiefs, these are all worthwhile things to do, but at the end of the day, action is what's required and action, in this case, requires a directive from the minister, who I don't think has read the BNA Act for awhile, because under section 92 he's responsible for the administration of justice. But with that responsibility comes a responsibility to take action and I'm just wondering why his ministry hasn't taken that action yet.

**Mr. Selinger:** This is where I think the member failed to understand and hear the responses we gave earlier today. Action has been taken since 2004 on auto theft and since the specific incident that was raised in 2008, additional action was taken which has reduced auto theft by 38 percent and has reduced attempted thefts by 60 percent. In addition to that, there has been a new approach developed for risk assessment and then risk monitoring and risk intervention with those individuals that are deemed to be high risk to the public, in terms of safety and security.

So action has been taken, and that has been going on since '08 and before '08. And there has been continuous improvement in auto theft reduction rates, continuous improvement in auto theft attempted circumstances, and there are additional resources that have been put in there to help deal with high-risk offenders, regardless of whether it's auto theft or otherwise. So these measures are taken in order to increase public safety and security and to ensure that the resources in the department are used to the greatest effect, to the greatest positive effect for public safety and security.

So action has been taken. The announcement that the minister followed up on today was to once again go beyond the actions that have already been put in place, that have achieved positive results, and to bring people together at the police service, at the highest level with the chief, at the RCMP level, with probations and with Prosecutions and say how can we further strengthen enforcement, consequences and public safety and protection. And I think it's useful that the minister has taken the initiative to do that, given the circumstances, and I think it builds on what has already been done over the last year, over the last six years since '04 when these initiatives were undertaken.

**Mr. McFadyen:** All of which is meaningless unless they're prepared to release the data on the numbers of people who are currently deemed high risk and who

are in breach of orders, as well as those who may not be deemed high risk but are known to the department to be in breach of orders. So, if action is being taken, why won't the government release any data to substantiate what's being said in the House today?

**Mr. Selinger:** I put data on the record today and I put data on the record in the House in terms of outcomes and the outcomes are what we're interested in. We're interested to know that there is less incidents of auto theft. We're interested to know there's less incidents of attempted auto theft. And we're interested to know that any risk to the public is being properly managed, monitored and intervened in, in order to reduce crime. And auto theft is at its lowest point in 17 years, since 1992, and is down 75 percent since 2004. That's an important form of information that the public needs to know about in terms of what's been achieved.

**Mr. McFadyen:** The—it would be more convincing if they released information about the number of known violators of court orders that are currently running around on the streets of Winnipeg and other communities in Manitoba. And I would ask the Premier if he would be prepared to begin releasing that information, consult with police and probation services in terms of how they—what criteria is applied, but to release that information and allow the public and the Legislature to assess whether or not they're being successful in that area.

**Mr. Selinger:** Again, we want to work with the people that spend their entire careers and every day working in these matters—and that's the Chief of Police, the RCMP deputy commissioner, the head of Prosecutions, the head of Probations—and identify with them the best deployment of their resources to protect public safety and security. And if they deem that those resources are best used on monitoring, intervention, suppression, redirection, training—whatever activities they think will get the best results for the public are the activities that we want to support.

**Mr. McFadyen:** The trouble is that the—all of those individuals are very important players within the system, and they have much to add to the debate. The trouble with that response is that the responsibility for administration of justice rests with the Premier, the Minister of Justice (Mr. Swan) and the provincial government.

I'm just wondering why he won't take responsibility, and, instead, is trying to hand everything off to other players within the system.

**Mr. Selinger:** Again, I think the member has mischaracterized what, in fact, we have done in terms of taking responsibility. I have clearly put on the record that we have taken responsibility to increase monitoring, intervention and suppression of high-risk offenders.

We've taken responsibility for putting an Auto Theft Suppression Strategy in place that has achieved very strong results, 75 percent reduction since '04. And since the incident that has been the trigger for this discussion, in 2008 there's been a 38 percent reduction in auto thefts and a 60 percent reduction in attempted auto thefts.

So we have taken responsibility to allocate resources to areas and activities that have gotten results. And we look forward to looking at other things that we can do that will achieve even better results in the future to ensure public safety and security. And the best way to achieve better results in the future is to work with the people that spend every day addressing these kinds of issues.

**Mr. McFadyen:** Just moving on to a new topic. On April 18th, 2006, the government put out a news release with respect to Waverly West, and there is a quote from the then-minister of Family Services and Housing, the current member for Riel (Ms. Melnick), where she says, and I quote: "With exciting environmental innovations and high-density and accessible housing, we are creating not only a new development, but a new kind of neighbourhood." End of quote.

I wonder if the Premier can just indicate, in light of the reality, which is nothing remotely close to that statement, whether there's really anything that comes from his ministers or from him that people should believe.

**Mr. Selinger:** Well, it's a very broad question and, in terms of his question, he's really asking if there's anything credible that the ministers and the government can say, and I think it's the kind of question that deserves a response specific to the issue at hand.

The issue at hand is whether Waverley West has increased the greening of urban development, and it has used very high standards for the energy efficiency of the homes that are being built there. And the looks—and the government looks forward to identifying ways to increase those energy efficiency standards for both water and energy use in homes.

It has attempted in other developments to, in terms of other non-residential developments in Manitoba with buildings, to ensure that many of these buildings are built to a LEED standard, and there are good results there.

Just on geothermal more broadly, Manitoba is considered the leader in the country for geothermal installations, which I hope the member would see as an example of following through on spreading geothermal technology in Manitoba to the advantage of greenhouse gas reductions and, in many cases, to the advantage of the consumers or the purchasers of those technologies, because it allows them to reduce some of their overall energy costs. And, in addition, we have a Green Energy Tax Credit, which has allowed geothermal manufacturing to occur in Manitoba. It gives them some support to do that, and that credit is also applicable to things like solar energy technology. It gives a tax credit for the purchasing and implementation of solar energy in Manitoba.

\* (15:20)

It also raises the issue that we're the first province to bring in a biodiesel mandate, which has a very clear set of results, in terms of trying to reduce the dependence on traditional diesel and move towards biodiesel, which allows for rural economic development. It allows for investment in new technology in rural areas, and it allows people in rural areas to use products for transportation that they've grown themselves. So those are all very concrete and tangible achievements, which the member has never acknowledged or recognized, or supported, in terms of budgets.

And that's—it was a similar case with the 8.5 percent mandate on ethanol. And, of course, I could extend that to the efforts in this province. This province is building the largest wind-power project in the country this year, in St. Joseph, of 138 megawatts. It's about \$345 million of investment. And it's another indication that there are things that are moving on greenhouse gas reduction in Manitoba. And if the member would even acknowledge just a few of those things then I think we could get into that part of the conversation about areas that we could improve in.

But the St. Joseph project alone will bring enough power on-stream to service up to 50,000 homes, to displace, they say here, over 350,000 tonnes of greenhouse gases, which is the equivalent of taking 70,000 cars off the road. And this is at the



same time as we're building hydro-electric power, which is also very, very efficient in terms of greenhouse gas emissions, one of the lowest emitting sources of electrical energy in the world, especially when you're building it with low-head dams.

So there are many, very concrete accomplishments. Just with respect to Earth Day, the member asked about all ministers. I'm tempted to go into the Estimates and show him, department by department, all the accomplishments that have been made. And if he'd like me to do that, I can just flip open my book here for the next hour, and we could start talking about that. But there are many accomplishments. There have been very significant accomplishments.

Just moving slightly away from greenhouse-green emissions housing policy. We're building 400 units of social housing this year. Those houses will try to reduce, as much as possible, the energy inputs required for them. So there's just—we've protected peat in Manitoba—peat, areas that have peat, so—because they're a great source of carbon storage. We're protecting the east side of Lake Winnipeg, which the member implacably opposes, but it's one of the largest carbon storehouses in the world, and it's recognized as such. It's considered to be one of the best natural defences against global warming.

And the story goes on from there on other things that we're doing that the member has opposed every step of the way, and then wants to be critical about the initiatives once they launch themselves.

We don't actually pretend to be perfect, but we do look for ways to make improvements all the time, to move the agenda forward on greenhouse gas emissions and all the broad issues we're responsible for, in terms of public policy.

I'll take a breath there, and see if he has any follow-up.

**Mr. McFadyen:** Madam Chair, and there are just a series of false statements about our position on issues. It's not parliamentary to call somebody a liar, so I'm not going to use that word in the House today in describing the Premier's response. But I will say that he made many false statements. So I just want to clear up the record.

We support wind farms. We support geothermal. We support science-based approaches to cleaning up the environment. What we oppose are broken promises, out-of-control debt, failures to deliver results on the environment, health care, education,

child and family services, and other areas. And so I just want clean up the misstatements that the Premier just made, and bring us back to some of the other issues.

Finally, on his point that we don't support protecting the east side. What we do support is a balanced and sensible approach that doesn't destroy parklands on the west side of the province, which are, according to some scientists, an even more significant carbon sink. And what we don't support is cutting 50 more kilometres of forest than is necessary. So I just think that it's unfortunate that's he characterized our positions falsely, and I just want to clean up the record on those points.

What I will just ask the Premier about is whether he and his government continue to care about the issue of gaming addiction.

**Mr. Selinger:** Yes. Just by way of getting there, I'd be happy to talk about gaming addiction, which is an important issue. And we do have prevention resources put in place to deal with that, and gaming addiction is one of a broad set of issues in terms of social policy development in the province. And there are excellent programs sponsored by the Alcohol Foundation of Manitoba and supported by Manitoba Lotteries to provide resources to people on gaming that have any potential risk of gaming addictions. And we do want to ensure that people are offered alternatives to that if they feel that they're at risk and that includes having resources right in facilities that offer gaming opportunities like casinos. There are resources there from the Alcohol—or Addictions Foundation of Manitoba.

And so it's just—it's another example of things we're doing that the members have continuously voted against in terms of resources.

**Mr. McFadyen:** And just to be clear, we've never voted against resources for addictions. In fact, we just voted against a budget that cut a new addiction centre that was promised two years ago, and so we oppose cuts to addiction treatment. We oppose measures that expand the reach of gaming to the detriment of people who have addictions, so let me just clean up that point.

I just ask the Premier if there's any correspondence between what he does and what he says, and if there is, whether that he will say no to this proposal to extend on-line gaming through Manitoba Lotteries.

**Mr. Selinger:** First of all, we have to be clear that the member voted against the 9.5 percent increase to the Addictions Foundation of Manitoba. He may be in denial about that, but that's what he voted against.

**Mr. McFadyen:** Actually, that's not correct, so let me just clean that up and correct him. What we voted against was the cut to the proposed addictions centre that had been announced and promised a year ago. And what we voted against was the closure of the Addictions Foundation over the Christmas holidays.

So it's not that we're against improvements to front-line services. What we're opposed to is his ability to increase spending at the same time as he cuts services. So let me just be clear that it's not—you know, he says we vote against budget increases; well, we vote against budget increases when they're cutting programs and the money is going to things like untended stadiums and power lines that are driven by American special interest groups. And so I just want to clear that up.

But let me just ask the Premier if he's serious about caring about gaming addiction, will he just be very clear today that he's saying no to this proposal to extend gambling on-line through Manitoba Lotteries?

**Mr. Selinger:** And again, I have to point out that the member, in fact, did vote against the 9.5 percent increase to the Addictions Foundation of Manitoba. And he can segue out of that as much as he wants but that's what he voted against. It's on the record. It's very clear by the budget documents.

On the question of Internet gaming, that is something that is being looked at by the government in terms of what the impacts would be. It's been accepted in other jurisdictions and the question is—Manitobans, are they already using Internet gaming, and what measures can be put in place to ensure that that's managed and controlled in the public interest if people are already participating in that?

**Mr. McFadyen:** And so what the Premier is saying, then, if Manitobans have addictions to gaming, that the right approach is for the government to then get into the business of on-line gaming? And if that's the case, then why don't they get into the business of selling narcotics to kids on the street?

**Mr. Selinger:** Well, if the member—I can't believe the member would be recommending that we get into the business of selling narcotics. I'm a bit shocked that he would suggest that, but—it's unfortunate that he would do that.

I said we were looking at—the issue is to look at whether there is on-line gaming going on and whether there are better ways to manage and control it.

**Mr. McFadyen:** The kindergarten response to that question is really quite surprising from somebody who I know he's never been elected as Premier, but the unions made him Premier, and I'm surprised that somebody in that office would resort to those responses.

We, of course, would never support government selling narcotics to kids. What we're saying is that his line of argument is that people are already addicted to gaming and the government should get into the business as well, and I just wonder if the Premier can justify government-sanctioned gaming which is, in effect, the same as MLCC providing home delivery to alcoholics.

\* (15:30)

**Mr. Selinger:** Well, you know, the member seems to have a number of creative suggestions. First of all, he's now clarified that he doesn't want to sell addiction—narcotics to children, but he left open the possibility of selling them to adults. You know, if you want to twist words, it can be twisted both ways. You're very creative on trying to put words in other people's mouth, but you seem to have trouble accepting responsibility for the recklessness of your own statements on an ongoing basis.

And so, when it comes to the issue of on-line gaming, the question is: Do Manitobans have access to that? Is that an area of growth, and what is the best way to manage that and ensure that there's safe—there's, that if it's going to happen, that it's done in such a way that we protect Manitobans from the most egregious impacts of that, including addiction impacts?

**Mr. McFadyen:** And it's interesting that this is coming about at a time when the government is desperate for cash, that they're going to move into this area.

I think it is a transparent effort by a government that's addicted to spending to get into the business of on-line gaming, Madam Chairperson.

I just want to ask the Premier: He's the holier-than-thou Premier who's taking shots from across the way. Can he just update us on the letter he received in connection with the election finance

scandal, exactly what steps he took and when to destroy that letter?

**Mr. Selinger:** I'd ask the member to identify which letter he's discussing.

**Mr. McFadyen:** Just moving on to the issue of the Elections Manitoba issue. He'll recall that his party falsified a number of election returns—14 of them following the 1999 election in order to trigger rebates they weren't entitled to. And nobody is suggesting that he, personally, was in any way involved at that stage of the matter.

But in 2003 there was a meeting held where he and his official agent and others were briefed by the party's lawyers as to the problems with the returns they had filed. And he was angry when he learned of that. He asked for a letter that would exonerate himself and his official agent, and then indicated in committee a little while ago that he had, since this matter became public, took the step of getting rid of that letter. I wonder if he can just elaborate on when he got rid of it, whether he did it personally, or whether he asked somebody else to do it.

**Mr. Selinger:** Actually, I think the member's once again reading into the facts, his own interpretation of them, which is fairly standard procedure in terms of how he deals with reality. The fact of the matter was is that the—[interjection] Did the member have something else he wanted to ask at this time?

**Mr. McFadyen:** Yes, thank you for the opportunity. Just to clarify. It wasn't my interpretation. He was the one who said in committee, Elections Manitoba committee, the last meeting, that he had gotten rid of the letter. And so I'm just asking him if he can just direct himself to the question rather than resorting to cheap personal shots.

**Mr. Selinger:** What can I say about the member opposite in terms of his behaviour and the way he attacks people continuously both inside and outside of this building? He's the specialist when it comes to cheap shots, and he's known for those reckless approaches to the way he treats public officials and other officials throughout the province. It's one of his great reputational achievements since he's been here.

**Madam Chairperson:** Order. I just want to remind all members that we're all honourable members here and I just would—I think it's in the best interest of the House if we address members in that fashion.

**Mr. Selinger:** Yes, point taken. I just want to point out to the member that, with regard to that matter, it

was dealt with by Elections Manitoba according to their standard procedures and, because it was dealt with, it was no longer necessary to keep all the records with—pertaining to that.

**Mr. McFadyen:** The Premier will undoubtedly be aware that there is another investigation ongoing into that matter involving the Manitoba—the Chartered Accountants Association, and that letter would've been relevant evidence in that. I'm wondering if his disposition of that letter was really driven by a desire to destroy evidence, rather, because it was no longer useful.

**Mr. Selinger:** Well, again, the member seems to know some other investigation. My understanding is that Elections Manitoba is responsible for dealing with elections issues and that they've dealt with this.

**Mr. McFadyen:** Well, I think the Premier is well aware of the concerns about Elections Manitoba's handling of the issue. It's not members of the opposition who are saying that alone. We are saying it in addition to media outlets and other respected Manitobans who've weighed in on the issue. Recently, it was the *Free Press*, in fact, who was commenting on the fact that there are very legitimate concerns and outstanding questions concerning the handling of the NDP election finance practices that had been raised by the opposition.

And I wonder if the Premier can just indicate, in connection with most recent disclosures which involve the issuance of federal tax credits for provincial donations, whether he has yet taken any steps to rectify the situation with the 15 members of his caucus who received those credits.

**Mr. Selinger:** And, again, we dealt with that when we met with Elections Manitoba, and the record was clear that those practices had been in our electoral reforms, the ban corporate/union donations made illegal. So those practices ended when we brought in our new law.

**Mr. McFadyen:** And the Premier is parsing. We know that they brought in a law. That's not the issue. The issue is whether their conduct actually complies with the law. And that's where we get into an interesting discussion because, in a lot of cases, it seems that it didn't.

But, given that the issuance of federal receipts for contributions to a provincial party is clearly over the line regardless of any subsequent amendments, I wonder if the Premier can just indicate what

leadership he's shown to try to address that misconduct.

**Mr. Selinger:** Again, the member is drawing his own conclusions of whether there was misconduct.

There were no indications that there was anything illegal going on until we changed the law and made it illegal. We stopped the practices. Members opposite voted against that law that stopped those practices and now they're trying to be holier-than-thou about it, when they actually voted against the measures that were brought in place to stop the practice.

**Mr. McFadyen:** You know, the point is not bills and announcements that he and his government make. Those are—you know, they introduced a bill to hit greenhouse gas targets. They've introduced lots of bills. The issue is really a connection between reality and what they're doing and what the law says.

And I just wonder, is the Premier now saying that he thinks at the time it was legal for the provincial party to take a donation to transfer some of that money to the federal party, then transfer the money back in order to trigger federal credits. That's the legal advice he's received?

**Mr. Selinger:** I didn't say anything of the sort. That's the member's own rather contorted explanation for what he thinks happened.

I'm simply saying that there was no indication, that I was aware of, that the practice was illegal before we made it illegal, and the practice we made illegal, he voted against. And he also voted against banning corporate union donations. When I say he, I should be actually more accurate; the Conservative Party of Manitoba at that time voted against it. The member, who's now the Leader of the Official Opposition, to this day has never indicated whether he supports banning corporate and union donations at the provincial level in Manitoba. We still await his answer on that.

**Mr. McFadyen:** We very much support compliance with elections law, and I want that to be very clear. And we've taken quite significant measures to put procedures in place to ensure compliance with elections laws in Manitoba. We think that if you're going to talk the talk about legislative changes, you should actually take actions within your own party to ensure compliance. That's where we're different. They pass laws and then break them. We accept whatever laws are passed and then comply.

And so I just want to ask the Premier again, in light of the very significant issues that arose after 1999—and Mr. Asselstine, the forensic accountant, uncovered three separate schemes. We're aware of the details of two. The third one is still a little bit shrouded, but I'm sure we'll get to it.

\* (15:40)

But the first one was the falsification of returns to trigger rebates. The second was the two-for-one tax credit scheme that we've gotten into. And the result of all of that was a meeting, just on the eve of the 2003 election that he was present at, where they took some steps to clean things up and then keep them under wraps until after the 2003 election. And then, just days after that election, the—Elections Manitoba then terminated their relationship with Mr. Asselstine. And the Chief Electoral Officer at the time magically received a very significant pay increase right within a few weeks of all these things happening.

I wonder if the Premier has any concerns at all and thinks that maybe these are things that should be looked into.

**Mr. Selinger:** Well, again, the member has his own version of reality there, and he's constructed his own story.

As I understood it, Elections Manitoba followed a set of standard procedures on how they did their investigations, including getting legal advice from two independent legal experts on these matters, and followed that advice in terms of the decisions that they rendered. And I have no reason to disbelieve Elections Manitoba in terms of how they conducted themselves.

**Mr. McFadyen:** No, I know he has no reason to disbelieve Elections Manitoba. I know that they have a very, very close relationship with Elections Manitoba. I completely understand that dynamic.

But that really isn't the issue here. The issue is that all of the facts that I've laid out are documented by Mr. Asselstine. They're confirmed in correspondence that went back and forth between the forensic auditor and counsel to Elections Manitoba. They're confirmed in Public Accounts. They were confirmed by the Premier himself when he was asked about it following Mr. Treller's revelations. So there's not some great conspiracy. There's no grassy knoll or anything else here, just a series of facts that are well established.

And I just want to ask the Premier: In light of the need to assure Manitobans that we're going to have a neutral, objective umpire going into the next election campaign, is he prepared to undertake any kind of an independent review of these issues so that we can move forward with a campaign that's going to be conducted above board?

**Mr. Selinger:** Well, again, I just have to point out for the member that the chief electoral office stated clearly in committee that two independent counsels, Graham and Green, did not find any laws were violated in the '90s when the revenue sharing practice was still legal. And we were the ones that made it illegal, and they're the ones that voted against making it illegal, just to put the record straight about who cares about what.

**Mr. McFadyen:** The legal opinions he's referring to, for some reason they haven't been released publicly, and Elections Manitoba has refused and stonewalled every effort to release those opinions, plus the Deloitte opinion which they claim they received.

And I wonder if the Premier would support a resolution within this Legislature to encourage and empower Elections Manitoba to open their files and release all of these opinions that they claim to have relied on.

**Mr. Selinger:** You know, these offices are independent offices. They report to the Legislature, and I think the best thing that we can do is to let them do their job.

**Mr. McFadyen:** And, as you said, they report to the Legislature. There are 57 members of the Legislature. They're—he is one of the 57, and I wonder if maybe in a very non-partisan way, we 57 members of the Legislature that Elections Manitoba reports to, can get together and support a review.

And, I'm not sure, given the way they spend money and time on other things, I'm not sure why he would be worried about some kind of an independent review. Why wouldn't they support that?

**Mr. Selinger:** Again, these officers of the Legislature are supposed to conduct themselves without fear or favour, at arm's length from government and from political interference, and I think we need to respect the role that those offices play.

And the member likes to suggest that it'd be a non-partisan review, but we've seen nothing from the

member to date that indicates anything but extreme partisanship on this matter.

**Mr. McFadyen:** And just back to the letter that the member for St. Boniface received after the 2003 meeting, can he just indicate who the author of the letter was?

**Mr. Selinger:** Again, there's information on the public record with this to regard and the member can check the sources of that.

What I think is important here is that we've—we respect the role of the office of the Elections Manitoba, and acknowledge that they have followed the proper procedures in the way they investigated all these matters and have sought independent legal advice on that and, on the basis of that advice, have acted in what they consider to be the public interest to address these matters. And that seems to me to be something that we should have some measure of confidence in, given the role of this office in administering and interpreting elections law in Manitoba.

**Mr. McFadyen:** I don't know why he's being so evasive. He knows the letter well. I'm just wondering if he can just indicate who is the author of that letter.

**Mr. Selinger:** I've answered that question and the member knows that, and the information is available to him. All he has to do is seek it out.

**Mr. McFadyen:** The Premier's mistaken. It's not—the letter itself is not on the public record. The existence of the letter is on the public record, but the letter itself isn't, and so that's just a mistake, a factual error on the part of the Premier. And I wonder if he can just now help fill in the blanks since he's the recipient of the letter, to just indicating who the author of that letter was.

**Mr. Selinger:** Again, the member once again has put his own interpretation on what was said. I've indicated that the record is clear about the letter and the information is available to the member. He fully knows that it's available, and I've answered the question and the member knows that.

**Mr. McFadyen:** We certainly know of the existence of the letter, and he mentioned in committee that he had destroyed the letter. But I'm just asking him if he can just indicate who the author of the letter was now. Who wrote it?

**Mr. Selinger:** Again, I've answered this question.

**Mr. McFadyen:** No, that's a mistake. I don't believe he has answered the question, and I wonder if he can just indicate whether or not it was Tom Milne who wrote the letter.

**Mr. Selinger:** Again, I've answered that question. The member seems to have the information at his fingertips.

**Mr. McFadyen:** It's not—it's really not—it's not a trick question. He's discussed the letter quite extensively, and I'm just curious as to whether the author of the letter is Tom Milne, the same Tom Milne, who got a contract at Manitoba Hydro subsequent to leaving the NDP office.

**Mr. Selinger:** The member says it wasn't a trick question. I say it wasn't a trick answer.

**Mr. McFadyen:** I just want to just ask the Premier, just to—he clearly really nailed the art of Nixonian responses. I just want to ask him if he can just indicate whether he has any concerns about the comments made in the correspondence between Mr. Asselstine and counsel to Elections Manitoba, wherein Mr. Asselstine indicates that both he and counsel to Elections Manitoba agree that the NDP as a party had attempted to obstruct and interfere in the investigation.

**Mr. Selinger:** Again, that correspondence, as I understand it, was between the individual he mentioned and Elections Manitoba, and I take it Elections Manitoba dealt with that in an appropriate fashion.

**Mr. McFadyen:** Well, we have one of the most well-regarded forensic accountants in the province who has worked for the IMF and is currently doing audit work for TRAF and also has done investigations into corruption in third world countries on behalf of the IMF, saying in a letter to counsel to Elections Manitoba that the NDP obstructed and interfered in the investigation. And I'm wondering whether the Premier (Mr. Selinger) is sufficiently concerned to look into that issue to satisfy himself and the public as to whether in fact Mr. Asselstine is right.

**Mr. Selinger:** Well, again, that's the role of Elections Manitoba to determine if any allegations have, in fact, substance and are accurate, and they dealt with that issue according to their standard procedures.

\* (15:50)

**Mr. McFadyen:** Well, except that they didn't follow standard procedures. What happened was that they handed everything over to the NDP in terms of management of the issue. They swept it under the rug until well after the 2003 election, and they have refused to provide any documentation to back up the public claims that are being made as well as having not taken any meaningful action in connection with three different issues that were uncovered by the forensic auditors. So I'm just wondering, is it the Premier's view that it's standard procedure to do all of those things?

**Mr. Selinger:** Those are all allegations that the member's making against Elections Manitoba, and I take it he's addressed those to him—to them directly and they've replied to him directly.

**Mr. McFadyen:** So the Premier's mistaken again. They're out there, words written by one of the leading forensic accountants in the province and words that have caused us some concern in light of the analysis of the various financial transactions and the admitted falsification documents by his party. So it's not—they're not allegations; they're things that are accepted as fact. And we've raised it with Elections Manitoba, and their position is that they have no obligation to explain themselves or provide any documentation to support their public claims. And so I wonder if the Premier just can confirm, then, that his position with respect to all of this is to carry on with the stonewalling that his predecessor initiated.

**Mr. Selinger:** Our position was to bring in new legislation which banned corporate/union donations and other matters that we discussed to try and bring in a higher standard for democratic procedures in Manitoba. And we think, and we brought that legislation in to ban corporate/union donations.  
*[interjection]*

**Madam Chairperson:** Order. If members would like to have private conversations, we do have the loge, so they feel free to do that.

**Mr. Selinger:** Yes, we brought that legislation in and it was moved by the government House leaders, seconded by the honourable Minister of Agriculture, that Bill 4, The Elections Finance Amendment Act, be now read a third time. A recorded vote was taken, and those that voted against it included several MLAs from the Conservative Party. And they, 23 strong, voted against it. It was 29 members of the New Democratic government that voted for it, and so the record is clear. The members opposite were opposed to any additional electoral reform. They

were opposed to the banning of corporate/union donations.

The member parsed his answer today when I asked him to declare whether he supported the banning of corporate/union donations. He said he supported compliance with law, although that didn't seem to be the case in the '95 election, and—but the reality is that he still hasn't declared himself on whether he supports the banning of corporate/union donations. And the party's record is very clear on that; they've opposed it in their official votes recorded in the Legislature.

**Mr. McFadyen:** We—the phony news releases they put out and announcements they make. What we oppose is the, you know, the government saying one thing and claiming one thing and then doing the exact opposite. And I wonder if the Premier can confirm that his party has—is—*[interjection]* Oh, the member for Riel (Ms. Melnick) is melting down now in addition to the member for St. Boniface (Mr. Selinger). You know, they should get together and have therapy, just calm down a little bit.

**Madam Chairperson:** Order. I just want to remind all members that we do have the loges, so if they would like to have a conversation, please feel free to take advantage of them.

**Mr. McFadyen:** And I understand why they don't like responding to these questions, and the discomfort is very evident. But I just want to ask the Premier whether he can confirm that even after passing the bill banning union donations, that his party has, in fact, accepted union donations in a variety of forms that have never been disclosed.

**Mr. Selinger:** Again, if the member has some specific allegations he wants to make there, he should take them immediately to Elections Manitoba instead of raising them at 5 to 4 in the Legislature; he knows the proper procedures for that. And I'd be disappointed if he has specific information that he hasn't reported it to Elections Manitoba. That would be his duty and his responsibility and I hope he would do that.

**Mr. McFadyen:** I appreciate that advice from the Premier, and I can assure him that that is the appropriate step to take. And I just want to ask the Premier in terms of the go-forward approach to the appointment of a new Chief Electoral Officer, whether it's their position or they're just simply going to go ahead and appoint one of their own people to that job or are they—are they going to resolve

outstanding issues and work together in a non-partisan way?

**Mr. Selinger:** Well, I believe the House leader has addressed that and has invited the members of the official opposition to participate in that process, and I think that offer remains as one that's still available and hopefully the members will participate in order that there can be full representation of the House in selecting a new Chief Electoral Officer.

**Mr. McFadyen:** I wonder if the Premier can just indicate whether he thinks it would be acceptable to go into the 2011 election with an Acting Chief Electoral Officer or not.

**Mr. Selinger:** Again, there's a process. The members opposite have been invited into it. They have, for their own reasons, balked in doing that, and so if they hold it up they take responsibility for that.

**Mr. Ron Schuler (Springfield):** I'd like to thank the Leader of the Opposition (Mr. McFadyen) for a moment to put a couple questions on the record.

Upon being assigned the duties of Sport critic for PC caucus, I had the opportunity to travel across the province and look at various facilities, and one of those was the sports facilities in Brandon. And I want to focus in on soccer in Brandon. I had the opportunity to meet with the local soccer people in Brandon and we met at the Keystone Centre and they have the old hockey rink downstairs. It used to be a hockey rink and it's basically a concrete floor and they're allowed to use it as long as there's not events taking place in the facility. And we're standing, sort of waiting for all the different members to show up, and they have a little plastic tile that's about, maybe, a quarter of an inch that they clip together and they put on the floor. And it's basically a plastic tile clipped together sitting on concrete, which, I would suggest to the Premier, in and of itself, is very unhealthy because it's very hard to be running that much on such a hard surface.

But I noticed on the one sideline, sort of sitting on the field, and then further on in one of the other fields, were pails. And I turned to one of the individuals and I said, well, I noticed that the game is started. They were 12-, 13-, 14-year-olds playing, two different teams from southwestern Manitoba were playing soccer, and I said, you know, wouldn't it be advisable to take those buckets off the field?

I said, you know, if a kid trips and falls and they hit their head on the edge of the pail they're going to split their head open, certainly at the speed that they

run. And I was advised that actually they couldn't remove those pails because the roof is leaking and it would be far worse if there was water on those plastic tiles they would—just the ability to slip and fall and hurt yourself, again, because they're running at such speeds.

I have to tell the Premier that I was shocked, I really was, at the appalling state that we allow our children to play sports in. And I've raised this with the Manitoba Soccer Association and I've indicated that perhaps we should be going out there and meeting with the organization out there and looking at something. And I know there's perhaps something in the works, but I'd like to ask the Premier, you know, is there any kind of a plan? Is his government at all looking at the state of the soccer facility in Brandon and the—really, the hazard to young people who play with unbelievable passion?

I made this offer to the Minister of Sport (Mr. Robinson) and I'll make it to the Premier: If one day he would like, I'll take him to Starbucks and buy him the Ron Schuler Starbucks special and I'll take him to a soccer pitch and we can sit and watch soccer and have a great time, but I was really, really disturbed by what I saw in Brandon at that time. I mean, you know, you hate to use it, but it was Third World conditions. And I was wondering if the Premier has had this raised with him or if he'd like to comment on it?

**Mr. Selinger:** I thank the member from Springfield for the inquiry. This is the first time I've heard of that specific incident or that specific facility. But I do point out to him that we have put aside \$60 million for recreational facilities in our budgets and those have gone into priorities that we've identified with local communities to improve recreation facilities around Manitoba.

\* (16:00)

**Mr. Schuler:** And you know what is—I think all of us who are very passionate about our kids and their involvement in—and, you know, very excited and I've probably mentioned to this House how proud I am of, certainly, my kids, and I hate to take important committee time, and, you know, talk about the fact that, you know, my 13-year-old son has been appointed to the premier team of FC Northwest on the U13 team and he's one of the protected eight players. And I wouldn't want to spend time talking about that, how proud I am that he actually made that, but we all are, and we're all proud of our kids

and their achievements and the fact they're doing well in school and in sports and all the rest of it.

Also, I had the opportunity to meet with one of the high schools and there are two teachers there that are starting an amazing football program and they moved the program from about 48 students up to 250 and they really want to start developing a strong football program, and I should say have developed a very strong football program in Brandon. They pointed out to me that if they wish to practice with the football team—and, obviously, in the winter months do do some kind of cardio or skills development—if they want to practice in their school gymnasium on a Saturday or Sunday, they have to pay for it. And let's define "they." The parents of the children playing have to pay for it. And I was surprised. I'm a former trustee and former chair of the River East School Division and I can remember in '99 when the former Premier Gary Doer was running, about how they were going to have this open door policy in all gymnasiums, and here we are 10 years later and we have a closed door policy. Not even the school's team, not even the school's football team can access the school without having to pay for it. I was surprised with that and I was wondering if the Premier was aware of that policy.

**Mr. Selinger:** Again, I'm not aware of the specifics. Is he talking about access to school space?

**Mr. Schuler:** Well, again, it—we've heard—and I hate to make this a political issue, and if the Premier has noticed, I'm trying not to make it a political issue—but, you know, we hear about this holistic approach and how we want to avoid having children getting involved, and we've had this case where this young kid stole a car and killed somebody, you know, how much better would it have been if that young individual would have been part of organized sports and would have had some place to go and would have, with pride, been part of a sport team and would have been lifted up.

I mean, obviously, these kids need, you know, need something to have self-worth. You know, every child wants to belong and wants to feel that they're contributing and they're being something and if they have—if they don't have a proper sports facility or they don't have proper coaches, or they don't have proper facilities, they then do turn to other venues. And I would suggest to this House that, you know, we can go out and we can spend millions and millions and millions of dollars on ankle bracelets and thinks how we're going to solve youth crime that



way, or we take those millions and millions of dollars and we spend it on youth activities, you know, somehow in a holistic approach. And we've heard this for 10 years, yet you drive out to Brandon and you find out that a high school football team has to pay to get into their gymnasium on a Saturday.

And, you know, we also talked about our health care. I mean, we're into what, \$4 billion, or either just surpassed it or are almost close to it for health care, and we keep back-ending everything in health care instead of spending some money on the front end, getting our—the next generations involved in sport.

So the question is to the Premier: I mean, after 10 years, how is it that a football team of a high school has to take money paid by parents—struggling parents, often—and has to pay to use a facility for something that we've been talking about we need more of, and that's more young people involved in sport. Like, how does that fall through the cracks? Like, how did that happen?

**Mr. Selinger:** Well, the member indicated he was a trustee, so I take it there was some policy that he had, I believe it was River East School Division, when it came to the community use of the facilities, and perhaps they were charging as well. So probably, the member, better than anybody, could answer the question about why they had these additional charges.

**Mr. Leonard Derkach (Russell):** I want to pursue for a moment the issue on the Elections Manitoba matter because as I've—I've been here for a few years and I've lived through a few investigations by Elections Manitoba and have witnessed the results of them, and, in this instant, I also attended the committee meeting where the electoral officer was asked some questions, and, indeed, his body language told the world that there was a lot of nervousness on his part regarding the issue, but—I mean, that's my own interpretation.

But I want to ask the First Minister, as the former minister of Finance in this matter, he asked Tom Milne for a letter to absolve him from—or whatever—from the situation. I want to ask specifically why the minister, the First Minister, then the minister of Finance would've asked for such a letter?

**Mr. Selinger:** And, again, I've already clarified this in the—on the public record, and the member has

access to that if he wants to pursue that kind of information.

**Mr. Derkach:** The only thing that I recall from the First Minister's answer was that he was agitated or angered and had requested the letter. So, if he was agitated or angered, what was the situation that caused him this discomfort or this anger or this dissatisfaction with what his party was doing? What was the matter that was causing him this extreme anxiety that caused him to ask for a letter?

**Mr. Selinger:** I've answered these questions. The member has access to that information. The explanations are there for him if he wishes to pursue it.

**Mr. Derkach:** Well, Madam Chair, the avoidance of the First Minister from answering these questions certainly leads to other questions.

There were other NDP members who were in the same position as the minister of Finance was, people who were involved in this matter as deeply as the minister of Finance was, yet it is our understanding—and the First Minister may correct this—that other members of his party, including Cabinet ministers, did not ask for and did not receive the types of letters that the First Minister did. So I want to ask the First Minister, why was it important for him to ask for and receive this letter when, in fact, his colleagues, ministers of the Crown, were also there involved as deeply as he was, but did not receive those letters?

**Mr. Selinger:** I can only repeat the answer I gave to the first two questions. I've been clear on this matter on the public record and that is available to the member if he wishes to pursue it. The information is all there for him if he's really interested in this.

**Mr. Derkach:** Well, Madam Chair, this is a very uncustomary answer. Usually, when a member of the Legislature asks a question, although that question may have been asked in another way in another committee, the answer is given. Now, if the Premier is going to tell the truth, then he doesn't have to remember what his answer was in a previous committee. So I'm asking him again. Why is it—I'm not asking the minister who is sitting beside the first Premier the question. I'm asking the First Minister the question. I want to ask him again. Why was it essential for him to receive the letter from Tom Milne absolving him of any implication in this matter when, in fact, other Cabinet ministers and other NDP members who were also involved in this

scheme were not receiving the letter? Why was it necessary for him to receive that letter?

**Mr. Selinger:** I've answered this question on the public record before. If the member is interested in that, the information is available to him.

\* (16:10)

**Mr. Derkach:** Madam Chairperson, and I don't want to pursue this for any length of time, because obviously we're not going to get a response to this question. But I just want to ask the Premier—he indicated that he either lost, misplaced or something has happened to this letter and it cannot be put on the public record any more.

I want to just ask him whether or not Elections Manitoba were privy to this letter and whether, in fact, they had access to this letter in their investigation?

**Mr. Selinger:** Again, all the information I've put on the public record is available to the member on this, and the member's fully able to access it if he wishes.

**Mr. McFadyen:** I think we're ready for the question on the motion.

**Madam Chairperson:** Resolution 2.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$15,000 for Executive Council, Costs Related To Capital Assets, for the fiscal year ending March 31st, 2011.

***Resolution agreed to.***

The last item to be considered for the Estimates of the department is item 1.(a) the Minister's Salary contained in resolution 2.1.

At this point, we request that the minister's staff and the Leader of the Opposition's staff leave the Chamber for the consideration of this last item.

The floor is open for questions.

**Mr. Selinger:** Yes, for clarity, I'm moving that item 2.1.(a) Premier and President of the Council's Salary be reduced by 20,000–20 percent, or \$14,000, to \$56,000, and I put this motion forward to provide additional clarity. As members are aware, this reduction is already in effect unless—

**Madam Chairperson:** Honourable First Minister, I just have to read the motion back first.

It has been moved that item 2.1.(a) Premier and President of the Council's Salary be reduced by

20 percent, or \$14,000, to \$56,000. The motion is in order and is debatable.

**Mr. Selinger:** I simply put this forward to provide additional clarity. This reduction is already in effect, and legislation will be brought forward to make this reduction law.

**Mr. McFadyen:** And I just want to just put on the record our concern about the—what seems to be the government's intent to not comply with the existing balanced budget law, which calls for reductions of 20 percent in the first year of a deficit under the existing laws and a further 20 percent in the second year.

Having said that, that's an issue that we will be confronting with the introduction of the amendments as well when we get to next year's Estimates. So, with that said, I want to put on the record our view that they should be complying with the bill they introduced two years ago. But they're taking the step on the 20 percent this year, and we hope that they'll follow through on the bill and the commitments that they made two years ago.

With all of that said, we're ready for the question.

**Madam Chairperson:** Any further debate? No?

**Mr. Derkach:** Again, Madam Chair, just for clarification. I know I approached the table before for clarification, but under the existing legislation, and it's obvious that the government has not fulfilled its mandate under the balanced budget legislation at this point in time, and, therefore, without having to pass this motion, the motion that is—the legislation that is in place does cover this, in that all ministers would have to take a reduction of 20 percent in their salary under the existing balanced budget legislation. So, in fact, this motion would be redundant, would it not? And I would seek clarification on that matter, because, under the existing legislation, there is already provision for ministers to lose 20 percent of their legislation as the budget was presented in this Legislature in this session.

**Mr. Selinger:** The budget presented under the existing law is balanced according to the rules presently enforced and this motion is to move—transition to the four-year plan that we presented as part of the budget.

**Madam Chairperson:** Just I want to answer your question prior to recognizing you. And I just wanted to say that the motion that was put forward is in

order and so it is debatable, and I'm not here to look towards, you know, implementing balanced budget legislation. That's not my role or the requirement of this current Estimates that we're in.

**Mr. Derkach:** Madam Chair, I don't want to debate this for any extended period of time, but I do want to put on the record as a legislator here that, in fact, this is a redundant motion because, under the existing legislation, the government has not balanced its books this year for the second year in a row, and, in fact, there is provision for ministers to take a reduction of 20 percent in their salaries when balanced budgets are not achieved. That is written in law and as far as I'm concerned, ministers would reduce their salaries by 20 percent despite this resolution.

**Madam Chairperson:** Is the committee ready for the question? Yes?

**Some Honourable Members:** Question.

**Madam Chairperson:** The question is the item 2.1.(a) the Premier and President of the Council's salary be reduced by 20 percent or 14,256 thousand dollars.

All in favour?

**Some Honourable Members:** Aye.

**Some Honourable Members:** No.

**Madam Chairperson:** Does the motion pass? Does the motion pass?

**Some Honourable Members:** Aye.

**Some Honourable Members:** No.

#### Voice Vote

**Madam Chairperson:** All those in favour, say aye.

**Some Honourable Members:** Aye.

**Madam Chairperson:** All those opposed, say nay.

**Some Honourable Members:** Nay.

**Madam Chairperson:** In my opinion, the Yeas have it.

**An Honourable Member:** On division.

**Madam Chairperson:** On division? Agreed.

\* \* \*

**Madam Chairperson:** Now, Resolution 2.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$2,812,000 for Executive

Council, General Administration, for the fiscal year ending March 31st, 2011.

Shall the resolution pass? Shall the revised resolution pass, excuse me.

**Revised resolution agreed to.**

This concludes the Estimates for this department.

The next set of Estimates that will be considered by this section of the committee are the Estimates of Family Services and Consumer Affairs.

Shall we recess briefly to allow the minister and critic the opportunity to prepare for the commencement of the next set of Estimates? *[Agreed]*

So we will resume—we will recess and resume shortly.

*The committee recessed at 4:19 p.m.*

*The committee resumed at 4:25 p.m.*

#### FAMILY SERVICES AND CONSUMER AFFAIRS

**Madam Chairperson (Marilyn Brick):** We shall now resume consideration of the Estimates for Family Services and Consumer Affairs.

We invite the minister's staff to enter the Chamber.

The floor is now open for questions.

**Mrs. Bonnie Mitchelson (River East):** And I'm wondering if the minister—and I don't believe this question was asked by my deputy critic—does the minister have a copy of an org chart and which positions are filled, and could that—could I have that, if that's available, please?

**Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs):** Just three things, then. First of all, in the Chamber today, Mr. Doak and Ms. Loepky, again; and, following from the other day, and Margaret Ferniuk, the Assistant Director of Child Care.

And second of all, there was a question asked by the member that she wanted an answer to when we came back today, and that was on the foster rates. And I have some information that I can put on the record, and maybe we should do that and then we'll deal with the org chart.

She asked about the range of per diem rates. And I'm advised that the lowest per diem rate paid to a foster parent would be for a child 11 to 17, is \$26.78. And then the average they worked out, that's for that same age range of 11 to 17, would be \$46.11. But the member, I think, had asked for the max as well.

Given the level 5—the level 5 maximum would be \$433.51. That could vary, but that's the one that we found in the system, the maximum. And so that would be—just to clarify, that'll be the highest of any—that they currently have. So it could vary, though. It could be, on a particular day, could be lower or could be higher. But I just was advised it might be best to put on the record what that includes. Basic maintenance is at 2678—\$26.78; salary replacement—and I'll talk about that in a minute—\$140.60; respite: that's 20 days per year at \$300 a day: \$16.44; respite: 26 weekends per year at \$600 a weekend for \$42.74; nursing child-care support: 40 hours per week at \$25.00 an hour for 48 weeks: \$131.50. The child-care support is 40 hours per week times 49 weeks less 20 days at \$10 an hour: \$53.70; additional utilities, hydro and water: 55 cents; additional medical expenses: \$21.20.

\* (16:30)

There might also be costs for a child for services such as therapy or home visits, medical needs, camp, et cetera, that aren't paid directly to the foster parent, though.

And then with regard to salary replacement: it can be provided. It's very rare, isn't it? It's very, very rare, but it can be provided to foster parents who are required to give up full-time employment outside the home to provide care for the foster child. But that would be where parents have specialized skills that contribute to the overall care for the child. For example, we have a registered nurse that might be providing care to a child with very complex medical needs. So this, obviously, is a very exceptional case that we've just described. This would be an actual case, and so it comprises all of those criteria.

So I hope that answers the question. If there's any follow-up, we can get that information to the member. And, again, that's in the age ranges of 11 to 17.

**Mrs. Mitchelson:** I'd—it sounds to me like the minister's answer indicates that there's only person in the system that might be at that range—that would be the highest. And there would be other varying

degrees, and I will get to some subsequent questions on that probably tomorrow.

I guess I just want to, in the short period of time that we have today, ask a few questions because there might be information that the minister would have to bring back on some of these things. And so I thought if I could ask questions today on the record, I was hopeful that he would have the organization chart. And I'm looking, specifically as the critic for the Family Services piece of his department, the organizational chart, not just the high level but a complete organizational chart: which positions are filled, who might be in those positions, and which ones might be vacant.

**Mr. Mackintosh:** There is, of course, the organizational chart set out on page 9 of the supplementary Estimates. Those are the senior officials as well as the directors and managers, by and large. I mean, there's different criteria or different names there, but for anything further than that, that would have to be created.

But, of course, I think there'd have to be some parameters if we were going to do that kind of work, because we'd be talking—well, there are thousands of employees, of course, in the department. So, perhaps if the member had some parameters, we could have a discussion with staff as to how available that might be.

**Mrs. Mitchelson:** Okay, thanks, and I will come back to that, then.

Can the minister give me a list of grants to external agencies? I know that was something that I was always asked for, and it was always something that the department had prepared and had readily available for the critic when I was in the Estimates process. So I guess I'm just asking whether that list is available, or whether it could be provided for me by tomorrow.

**Mr. Mackintosh:** I thought I saw this last year, and the deputy believes that that may be readily available, but we will take that under advisement, and if it is available in the format as requested, we'll certainly make it available tomorrow.

**Mrs. Mitchelson:** I just heard the minister say that he thought he saw it available last year, and it could possibly be readily available. I wondering if he might give me both years, if that is—so we can do a comparison year over year to grants to external agencies.

**Mr. Mackintosh:** I'm advised that there may well be a list that goes through a due diligence process and if that process is completed we certainly are in a position to table it. I hope that's the case and, in any event, we'll provide the most recent two that are available. I don't know if it was last year or two, but I do remember, maybe it was in Justice, but I do remember seeing that and perhaps it's even in the Public Accounts at some point, but we'll certainly—we know what the member's asking for and we'll make all efforts to make sure that's available.

**Mrs. Mitchelson:** Again, I do remember from past days that that was usually something that the department did have prepared and readily available for my critic at the time and it was usually one of the first questions that got asked in the Estimates process. So I want to thank the minister for undertaking that.

I'm just wondering whether the minister could also, while we're at it, look for the—look at providing for me the department's annual advertising budget for last year and the projected advertising budget for this year.

**Mr. Mackintosh:** The member will see that in the supplementary Estimates there is a line usually under other expenditures called communications. That may include advertising but not only advertising. It can also include telephones, forms, you know, awareness brochures and things like that. So in terms of available lines, the communications one doesn't set out what the cost of ads are.

I guess the other question is what would be the definition of an ad, and would it also be, for example, the notices or—oh, the communications line is actually telephone communication services, postal services, advertising and program promotion, radio systems, and other. So that's how the number is set out. But in terms of advertising as well in, I guess there would be a question of definition, and would that include, you know, informing people—like, we've had—for example, we've had late cheques and we've had to do some promotions around that. We've had some other, you know, public aware—so I don't know—sometimes we have to post ads and I was thinking, too, the Manitoba Child Benefit—is that what she's including? So that's just one question.

\* (16:40)

The next one is, though, that if, in fact, we are to look for that line, it would take some time to tease out that amount most likely. It is no specific budget.

Now, I was also thinking the Canadian Centre for Child Protection where, under the tip line, the reporting—we gave a grant to them from which they paid salary, and there was awareness campaign strategies there.

**Mrs. Mitchelson:** I just want to clarify for the minister. I can give him some detail about what I am looking for and then I would ask for an undertaking by the department to provide the information on a timely basis. And I mean—I suppose it's information that we can ask for under FIPPA. I would hope that we don't have to go the FIPPA route because, you know, when a minister makes a commitment through the Estimates process to get information back, I would hope that it would be undertaken and done in a timely basis.

So what I'm asking for is a list of all print, radio, television and on-line ads placed by the department in the last fiscal year, and for that—the detail I would like around that is the cost of each ad, the purpose. So then that sort of clarifies what the minister was asking if it's, you know, the national child—or the child benefit, and that kind of thing—yes, it's all of those things; the date the ad was placed and the publication, whether it be a radio station, a TV station, a newspaper ad, or Web site on which the ad would have been placed. So that's what I'm looking for, and I think I've tried to be fairly specific in my request.

And I wonder if the minister might just indicate to me how long he thinks it might take for that information to be pulled together and provided to me.

**Mr. Mackintosh:** First, in terms of this year, because there is no specific budget and we are watching expenses like this this year, that is a general direction that we are attempting to pursue, but if—because there's no specific budget this year that wouldn't comprise the answer, but, in terms of last year, we can begin that. That's no small undertaking, I'm advised, and we will make all best efforts within the—sort of the time frames of FIPPA within a couple of months to get that, but I'm advised that that is very significant work to collect that information. There may be other insights from Admin. and Finance or something where it may have gone through—there may be a record or something and information could be provided on a more timely basis, but that's the initial advice I have is, we would be actually creating a record here.

**Mr. David Faurshou (Portage la Prairie):** I would like to ask questions that emanate out of my question period question on March the 23rd regarding MDC, the Manitoba Developmental Centre in Portage la Prairie.

The minister had conveyed at that time that, during Estimates, he would perhaps be able to provide updates as to the facility in Portage la Prairie and how his department intends to handle either a transition, a remandating, refocussing of the Manitoba Developmental Centre's responsibilities or just the future of that facility in Portage la Prairie.

**Mr. Mackintosh:** I can just bring the member up-to-date on some recent activities. First, I had a discussion with the mayor of Portage la Prairie by telephone in the last week, and we are planning to meet in the very near future to talk about this focus that I am urging on a longer-term view of MDC's role.

And it was a very good discussion, and we will follow that up, then, with some ideas for action in terms of the Province working with the City. In the conversation and in any conversation that I have, though, around MDC, the priority must always be the residents and their families because that is who the department is here to serve, and it is always the test of what options should lie ahead.

That also does engage from time to time, then, the Public Trustee's office when family is not available. And so, in addition to the commitment to work with the City and have a—start a dialogue on a formulized basis, we will look to establishing an involvement of the families, and we're thinking now as to how that could happen.

\* (16:50)

The third major, very important stakeholder, obviously, are the people who work there and who form the work force, a very, you know, wonderful work force, very skilled in many areas that—where skills are indeed needed by vulnerable Manitobans.

And in that regard, I've just been advised here today of the meeting last week, or April 14th, with what is called a work force planning committee with the Province and the Manitoba government employees' union. It was an initial meeting, exploratory meeting, to look on a go-forward basis at labour issues arising from the declining resident population. Discussion may include in the future possible roles for MDC staff and infrastructure and other capacities in future years, potential

opportunities even within Family Services and Consumer Affairs and other provincial departments that would promote opportunities, and, as well, other approaches such as operational efficiencies of MDC.

So the purpose is for open communications between government reps and the MGEU, where labour adjustment activities regarding the declining population is concerned, and for government to provide regular updates on labour adjustment issues.

So that's the latest, and just going back to the exchange we had in question period—I could flesh it out very briefly for the member. It is important in my view, when you look at what has happened from the 1980s to now, a decline of population from about 1,100 to around, I think, just over 250—287 is the latest number that we have; the number is right on top.

So that tells a story, and from that story I think it's incumbent on all of the stakeholders to begin to look longer term. As I said in question period, whether it's, you know, eight years out or whatever, something in that range, I think we should start to look at other opportunities because there's so much at stake. It is the major employer in Portage. It is, you know, important in the lives of many and for many generations, and more, most important of all, there has to be both assurances and, if necessary, communication of longer term plans for the families and the residents.

So it's with that in mind that the government is looking at how we can design consultation strategies and input strategies and at the same time, the Province is looking at the implications of the trends. We're looking to see, when in fact, the institution may no longer be economically viable given certain trends. What's the implications then for community living resources? What are implications for wage scales? And what are implications for health authorities and so on?

So that work is ongoing, and as the Province drills down on those questions, we can enunciate those with stakeholder groups in place. So that is the thinking now with regard to the investments at MDC. I believe we've got ongoing upgrade projects, and the member's aware of many of them, of course, because they're in his own community, and, I think, most notably the upgrades to the cottages. But there are other ongoing life safety upgrades and, as well, plant upgrades. I think we've—there was just an approval just a short time ago in respect of a boiler there and so on.

It's important as we have this discussion to ensure that infrastructure dollars that have been allocated for this go to help ensure the future for the residents, the workers and the community, and that is, when the member talks about refocussing, that is where I think we have to make those investments.

**Mr. Faurshou:** I do appreciate the minister's understanding of the nature of the MDC and the wants and wishes of family and residents and staff and community. It's very complex, and so I want to compliment the minister for his personal understanding of the dynamics of the situation which we face.

What I would like to leave with the minister on the record, though, is that we have in place a work force of unprecedented expertise in caring, dedication, commitment to the residents of MDC. The nucleus of the work force, though, is gravely concerned about the future of MDC, and it's incumbent upon ourselves as elected leaders, not only at the municipal level but at the provincial level as well, that we work very quickly to ascertain what the future of MDC is, because we will lose the best and brightest of the work force, because they recognize the ultimate end to the operations of MDC without a retasking, a refocussing of the mandate of MDC.

And, as the minister can quite appreciate because of his engagement in previous portfolios, that of Justice and also, too, minister responsible for MPIC, there are unfortunate circumstances where persons have sustained brain injury, and there are persons that are in need of quality care that is afforded by the very skilled staff at MDC, and whether or not we can look to providing care for other portfolios within government at the MDC and thereby formulating a win-win-win scenario for all concerned.

But this will pass if we do not act swiftly, because the staff at the MDC will look for other opportunities of employs elsewhere, and then this nucleus of very skilled, dedicated staff will be lost to the province of Manitoba.

**Mr. Mackintosh:** Well, the human resources there is just a huge asset, and I can assure the member that a part of the work-force planning committee and part of the efforts that have already started within the department are to look at the staff, look at the ages of them, look at their skill sets and, as well, make some projections and get some good insights in terms of

where we could be in a number of years in that regard.

I will also again put on the record that I will continue to have dialogue, informally and formally, with the member, because our objectives are all the same here. Yes, there is a lot at stake, and I know the member has spent a lot of time thinking through other options as well and has presented this idea about brain injury expertise, and that's something that can always be pursued. And we should, you know, bring in whatever, however many options may be available for consideration.

I can also advise the member that the Community Economic Development people in the government are also a part of the discussions and the drilling down that I've described that are taking place. So it's not only our department, because we recognize that there are much broader issues that are in play here.

**Madam Chairperson:** Honourable member for Portage la Prairie, for one short, short question.

\* (17:00)

**Mr. Faurshou:** Yes, very quickly. The individuals that have been engaged in the MDC transition committee that was formed a little bit more than five years ago, that was engaged in the accelerated discharge program, government initiated, is that committee still active or has it been disbanded, because there has been no formal notice given to those committee members?

**Madam Chairperson:** At this point—did you want to answer? The honourable minister, for an answer?

**Mr. Mackintosh:** I'm advised that there certainly have been individuals transitioned as a result of the work of this committee. There hasn't been any formal disbanding of this committee, but we're looking within the finances of this year's budget, of course, in terms of what transitions can take place. And we're continuing to examine that. So I don't have a record of, you know, when they meet, how often, or what, but it's my understanding that there may be some that are on a list—there's still some active planning going on.

**Madam Chairperson:** The hour being 5 p.m., I am interrupting the proceedings of this committee.

This section of the Committee of Supply will now recess, and will reconvene tomorrow morning at 10 a.m.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, April 22, 2010

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